

LITTELL'S LIVING AGE.

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ENGLAND AND AMERICA.

ONE people in our early prime,
 One in our stormy youth :
 Drinking one stream of human thought,
 One spring of heavenly truth :

One language at our mother's knee,
 One in our Saviour's prayer, —
 One glorious heritage is ours;
 One future let us share.

The heroes of our days of old
 Are yours, not ours alone;
 Your Christian heroes of to-day,
 We love them as our own.

There are too many homeless lands
 Far in the wild free West,
 To be subdued for God and man,
 Replenished and possessed; —

There are too many fallen men,
 Far in the ancient East,
 To be won back to truth and God,
 From cramping bonds released; —

There is too much good work to do,
 And wrong to be undone;
 Too many strongholds from the foe
 That must be forced and won —

That we whom God hath set to be
 The vanguard of the fight,
 To bear the standard of his truth,
 And to defend the right,

Should leave the mission of our race,
 So high and wide and great,
 On worldly points of policy
 To wrangle and debate.

Nay, side by side, in east and west,
 In wild or heathen lands,
 One prayer upon our hearts and lips,
 One Bible in our hands,

One in our earliest home on earth,
 One in our heavenly home,
 We'll fight the battles of our Lord
 Until his kingdom come.

Sunday at Home.

CITY VIOLETS.

FAIREST of Spring's fair children,
 Babes of the flowery year,
 Violets with dew-sprinkled eyes,
 Deep-hued as midnight skies —
 What is it ye do here?

Here, in the pent-up city,
 Far from your native dell,
 Where the finch her nest entwines,
 And through the budding pines,
 Fitful March breezes swell.

In place of streaming sunshine,
 And free, bud-blowing air,
 Upon your beauty falls
 The shade of prisoning walls,
 And gas-light's yellow glare.

Through street and crowded alley,
 Your fresh-plucked buds are borne,
 Laden with pleasant tales
 Of woods and ancient vales,
 Thick with the white sloe-thorn.

Ever amid the tumult
 Of traffic's ceaseless hum,
 Sweet as a babbling rill,
 Or a wild linnet's trill,
 Your gusts of perfume come.

Seem they like fairy voices,
 Those odour-freighted sighs,
 Telling of vernal hours,
 And rain-drops in the flowers,
 New-chaliced from the skies.

And that faint floating fragrance,
 Like a low loving word,
 Stirs many a heart of care,
 As by the passing air
 Æolian chords are stirred.

The worn face of the weaver,
 As he hurries to his loom,
 Grows brighter, while he stays
 His weary glance to gaze
 Upon your purple bloom.

The pale-browed seamstress pauses
 A moment, as she feels
 Within her room your scent,
 That from the roadway pent,
 Through her dull casement steals.

To thousand, thousand workers
 In labour's serried ranks,
 Bright breezy thoughts ye bring
 Of meadows white with spring,
 Green crofts and sunny banks !

And therefore, Spring's fair children,
 Babes of the flowery year,
 Violets with dew-sprinkled eyes
 Deep-hued as midnight skies —
 Thrice-welcome are ye here !

Chambers' Journal

From The Quarterly Review.
AN ENGLISH INTERIOR IN THE 17TH
CENTURY.*

FROM the library of the late Mr. Law, of King's Cliff, near Bristol—author of the "Serious Call"—a curious MS. diary of a Nonconformist chaplain has come into the possession of the writer of these lines, through the kindness of a friend into whose collection the interesting MSS. of Mr. Law (including those of Dr. Lee, the son-in-law of the celebrated visionary Mrs. Jane Lead) have passed. This singular relic, written in the minutest character and in very fair Latin, presents so vivid a picture of an English interior at the close of the seventeenth century, and that in a family of the highest rank, that a brief notice of this record of the daily life of a domestic chaplain during this transition period cannot but possess features of interest for the general reader. Elias Travers appears to have been one of the many "waifs and strays" of that bloodless but too fatal massacre of St. Bartholomew, which formed so sad a spiritual commentary on the sanguinary persecution of its earlier namesake. A Nonconformist of Nonconformists (for he was a cousin of the great Howe, and so highly esteemed by him as to be thought meet to succeed him on his own recommendation as Chaplain to Viscount Massareene), he was one of those pious and faithful men whom the severe Act of 1662 had cut off from the Church, and who yet, by that singular providence which transferred their ministrations to the families of the nobility and higher gentry, were preserved to the Church for a work of much higher and more lasting utility than any they could have effected through their pastoral office. But for this strong spiritual influence which was thus secretly leavening the mass of English society, it is difficult to imagine how far any portion of evangelical truth could have survived the chilling and almost paralyzing reaction of the period of Charles II. In these faithful men, whose influence was thus unconsciously extended,

the prophecy of Isaiah seems to have had one of its many fulfilments. "As the new wine is found in the cluster, and one saith, Destroy it not; for a blessing is in it: so will I do for my servants' sake." (Isa. lxxv. 8.) Our first introduction to our guide in this narrative is at "his chambers at the 'Three Blackbirds' in Holborn at Mr. Bransill's." Of the place or the host we know nothing more than that he met the latter when he revisited London in the days of his chaplaincy at Ketton. His diary, after a suggestive memorandum relating to the effects of his "Unkle Rous," which amounted to the modest sum of "nineteen pounds sixteen or six shillings, I am not well assured whether of the two," opens with an act of self-dedication, written on September 8th, 1675, in which he sets himself apart like Jacob to the service of God, and promises "of all that he shall have when his debts are paid, he will give the tenth to Him while he lives,"—"Witnesse," he adds, "my soul and conscience and my hand the day and year above-written." Certain entries in short-hand succeeded this record, and are occasionally interspersed among the pages of his diary. From a subsequent reference he makes to them, they would appear merely to consist of confessions of his broken resolutions, shortcomings, and backslidings, recorded in order to be read over from time to time as a kind of penance, and therefore not throwing any light upon the facts described in the diary. At some time between 1676 and February, 1678 (at which date the diary begins) and probably through the influence of his cousin Howe with the Viscountess Wimbleton, the mother of Lady Barnardiston, our friend becomes the chaplain and tutor to the family of Sir Thomas Barnardiston, of Ketton Hall, in Suffolk, into whose household his own graphic touches will best introduce us, though it will not be amiss to avail ourselves, in the first instance, of the more formal introduction of Sir Bernard Burke, who, "in herald pomp and state," can best explain to us the full extent of the contrast between the lodging at the "Three Blackbirds" in Holborn, and the half-baronial mansion of Ketton. "This," writes the great heraldic authority, "was

* *An English Interior in the 17th Century (1675-81).* Illustrated from the unpublished diary of ELIAS TRAVERS, M.A., Chaplain to Sir Thomas Barnardiston, M.P., of Ketton Hall.

one of the most ancient families of the equestrian order in the kingdom, having flourished in a "direct line for twenty-seven generations at least." Their estate in the time of Queen Elizabeth amounted to £4,000 a year,* and had been increased by a succession of great alliances, among which that with the old Norman family of Newmarch brought them the Lordship of Kedyton or Ketton, from which they derived their local designation, while from the neighbouring town of Barnardiston they had acquired their patronymic. The manor of Great Cotes, in the county of Lincoln (a strange and wintry name), had devolved to them from the Willoughbys, a name equally redolent of the fen country; but Ketton is to us the central point of interest, as the scene of the chaplaincy of Elias Travers, and of the stereoscopic view which comes before us day by day in his diary. Through Vavasours and Wattertons and other great alliances, the "equestrian family" "carries on its history to the period of Sir Thomas Barnardiston, whose figure was to be seen (in Weaver's time) in the south window of Kedyton Church, kneeling in complete armour, his coat armour on his breast, and behind him seven sons. In the next pane of glass was seen Elizabeth (his wife) the daughter of Newport kneeling with her coat armour likewise on her breast, and seven daughters behind her." Of these good people, who flourished in the opening of the sixteenth century, all other memorial has perished. But their successor, Sir Nathaniel Barnardiston, so united goodness with greatness that he has been enshrined for all future generations in the famous funeral sermon and biography of Fairclough, to which our good chaplain very frequently refers. This worthy knight, the greatest ornament of his house, "one of the most eminent patriots of his time, and the twenty-third knight of his

family," was five times knight of the shire for the county of Suffolk, and died in 1653. He was one of the greatest champions of civil and religious liberty in the House of Commons, in which he represented Suffolk in three Parliaments. Connected with the Knightleys, Hampdens, Cromwells, Armynes, Lucases, and other patriotic houses, he joined them in their political course — refused to contribute to the ship-money, alleging that "he was not satisfied therein in his conscience," submitting to imprisonment rather than sanctioning illegality. In his memoir by Fairclough, there is a very interesting and minute account of the manner of living which he instituted at Ketton, with all the strict religious observances and regulations for the improvement of his children, servants, and neighbours. These rules, however well adapted to a household which had "ten or more servants so eminent for piety and sincerity that never was the like seen all at once in any family,"* became a somewhat severe code to his successor who had rather the tastes of an old country gentleman than those of a saintly Puritan. They are rather grotesquely revealed in the pages of our chaplain, and stand out in odd contrast to the life of a hunting baronet and his not over-temperate companions. In fact, but for the paramount influence of his mother-in-law, Viscountess Wimbleton, these traditional restraints would hardly have survived the next generation. Sir Nathaniel's immediate successor, Sir Thomas, did, however, more nearly resemble him, and it was to him that Cromwell wrote: "It has pleased the Lord to give your servant and soldiers a notable victory at Gainsbrawe after the taking of Burlye House" — adding of Col. Cavendish, "my Captain Lieutenant slew him with a thrust under his short ribs." Sir Thomas took an important part as a Parliamentary leader both in the field and in the house, but his opinions were modified at a later day, and he assisted so materially in the work of the Restoration, that, for the antiquity of his family and the virtues of his ancestors, he was created a baronet by the restored monarch in 1663. His eldest son of the same name, Sir

* Probably exclusive of the great Lincolnshire estate, as Mr. Almack, in his admirable and exhaustive history of the family ("Kedington and the Barnardistons"), published by the Suffolk Archaeological Institute, has suggested (p. 13). I may here acknowledge my frequent obligations to this memoir, whose author, being nearly connected with the family, has written it with an interest which few others could import into the subject.

* "Kedington and the Barnardistons," p. 8.

Thomas *qui nunc est*, as our chaplain terms him, to distinguish him from the earlier baronet, succeeded his father in 1669, and about seven years after our narrative begins. Mr. Travers's duties involve not only the religious teaching and confessorship (if we may so term it) to the whole household at Ketton, but also a kind of tutorship, both religious and classical, to the young children of Sir Thomas and to a nephew residing with him. This two-fold function enables him to introduce us most fully to every part of the house, and makes him a connecting link between the highest and lowest members of the establishment. It is, indeed, difficult to define the exact position he fills in it, but while we cannot but see that he is often treated very little better than a servant (of which he pathetically complains), he does not always maintain the dignity of his position; as when he accepts a guinea from Lady Wimbledon on her departure, with the same gratification with which one of the servants would have received the accustomed fee. He seems to flit about from one department to another, now breakfasting with the lady's-maid, now dining in the servant's hall, then again with the baronet and his friends, and sometimes supping with my lady. He may well, therefore, be here pressed into our service as a guide to the domestic establishment throughout. From the kitchen, in which is enthroned Mistress Harvey, Mistress Sarah Steele, and a host of subordinates, we pass on to the servants' hall, where Mr. Shelley, the steward (we presume) reigns equally supreme over a goodly host of subordinates. Passing on through the outer or servants' dining-hall (for so we interpret the "*triclinium exterius*"), we ascend to the nursery (or "*gynæceum*," as our chaplain terms it), where the nurse, Mistress Ellis, the French *bonne* Mademoiselle Loisel, and other domestics are in charge of the children of the family, to wit: Thomas, aged four; Robert, about three, and Sophia and Elizabeth, the eldest, apparently, of the family. Here also (or rather between nurse and chaplain), a young Michael Barnardiston, a nephew of Sir Thomas, as I conceive — the son, probably, of Michael Barnardiston, his next brother, who had settled him-

self as a merchant at Smyrna — spends his life, a victim, even in that early day, to the *propria quæ maribus*, in which he makes but slow progress, as well as to the catechetical lectures of Mr. Travers, involving such high points of doctrine, that the unfortunate youth might well have found, even in the Latin grammar, then at least uncontroverted, a welcome asylum from controversial theology. Poor Michael seems to have been a healthy, spirited boy, sometimes angering the chaplain so far "ut difficulter manus tenerim." He adds, however, "*tenui tamen sit Deo gratia.*" On another occasion, while the chaplain is rapt in the most heavenly contemplations, "*ad cælum toto corde suspirans multò ultra solitum et raro exemplo,*" the unfortunate Michael again interrupts him, "*abruptit suavem hanc occupationem,*" with the request that he would change his clothes, which were wet through, and "disturbed his mind with frivolous questions." This poor youth, who seems his special charge, is perhaps less really cared for than the denizens of the servants' hall.

From the children's department we ascend to the higher scene, of which Sir Thomas, his lady and their frequently changing *entourage* of guests and visitors, form the chief features. The lady of the house was the sole daughter and heiress of Sir Robert King, of Boyle, in Ireland, by the Viscountess Wimbledon, herself a daughter of Sir Edward Zouche, of Woking. To this alliance must be attributed the strong Puritanical influences which reigned at this time at Ketton, very distasteful, as it would seem, to Sir Thomas, whose devotion was rather to hunting and other kindred pursuits than to any more spiritual object. Lady Wimbledon, like the Shunammite of old, was not only "a great woman," but a very good one, entertaining and feeding the prophets of her day, for whom, in the form of preachers and chaplains, she seems to have a singular predilection. A daughter of that ancient Norman family of Zouche, whose alphabetical misfortune has placed it last in the *libro d'oro* of our nobility, where it ought to be amongst the first, she was married in early life to the first and last Viscount Wimbledon, a younger son of

the Exeter family, a man eminent alike in the arts of war and peace, as his stately monument in the Cecil chapel in Wimbledon church testifies, at great length, and in the inflated style of the age, closing with the quaint sentence: "After many travells he returned to this patient mother earth from which he came."

From the grand Puritan mother-in-law, only an occasional visitor, we must pass to introduce the reader to Mr. Arthur Barnardiston, an uncle; another Mr. Arthur (called of Hodsdon), probably a cousin; Elizabeth Barnardiston, Sir Thomas's sister (an occasional visitor), with some other relatives who stand out less distinctly from the family group. Then we have, as frequently joining the circle, Mr. Darby, the clergyman of Ketton; Mr. Barrington, an intimate friend and neighbour, who runs in constantly with London politics and gossip; Mr. Tucker, who appears to have had a similar position as a friend of the family, and to have filled the same rôle as importer of news; Sir Gervase Elwes and his nephew, Sir Thomas Robinson, hunting friends of Sir Thomas, with a number of other occasional visitors, whose names it would be tedious to recount, and whose faces, could we even sketch them, would rather confuse than clear up our chaplain's picture.

The opening of the diary is somewhat abrupt. It discovers the family as absent in London—our friend waking with a headache, "*vertiginosus et gravato cerebro*;" the daughter Sophia sickening with a fever, and a consequent confusion in the household. The ordinary chaplain's life now unfolds itself; family prayers and a sermon; breakfast, visit to the nursery; a retirement for private meditation and writing—dinner with Mr. Arthur and the family at twelve o'clock: after dinner, conversation and a reading in Shakespeare till about three; a walk with Mr. Shelley in the neighbouring fields, varied occasionally by a stroll through the orchard to collect mosses or gums from the old trees, or to the kitchen-garden to enjoy a chat with the gardener, Mr. Coles, for whom he ever and anon procures "melon, and cauliflower, and cucumber seeds," and mixes with such subjects the inevitable subject of the state of the good gardener's soul. Then follow writing and meditation, private prayers, succeeded by family prayer at seven o'clock; supper, and after supper gossip till ten. On bright summer evenings a stroll in the portico or arcade, or in the field next the church, to look at the stars, then retirement for the night. Such

is the general programme of chaplain-life at Ketton, varied only by fresh visitors and fresh subjects of converse and reading, and on Sunday receiving the addition of public worship, writing out the last sermon for Lady Barnardiston (who appears to prefer this more contracted form of discourse to the interminable improvisations of Mr. Darby or Mr. Travers), and other religious duties. Sometimes after the service Mr. and Mrs. Darby join the household at dinner, Mistress Harvey showing her exegetical skill by arguing with the chaplain on the meaning of the seventh chapter of the Romans, or some equally difficult subject. This is followed by a second service at the church, after which our chaplain delivers a catechetical discourse in his own room to the men-servants of the family, whose names he duly records. Then follow the general family prayer at eight, pious meditation till ten, closing a course of spiritual exercises which might have almost satisfied the rule of St. Benedict. We can hardly wonder that the genial Sir Thomas took a different view on this subject from that of the all but canonized Sir Nathanael. Indeed, to the great scandal of our friend, he sometimes pleads hunting fatigues as an excuse for shorter prayers or an omitted sermon. Sophia's increasing illness, which Mr. Travers vainly hopes will hasten the repentance of the worldly baronet, soon brings the greater members of the household into the foreground. Sir Thomas gets a holiday from his parliamentary duties and hastens down from London, accompanied by his wife, his sister, and his aunt. But the tempting occupation of hunting again interrupts his spiritual prospects, and, to say the truth, his grief for his threatened loss seems very doubtful. Off he starts after breakfast with Sir Gervase Elwes and Mr. Robinson to the hunting field, while the afflicted chaplain has recourse to the "Funeral Sermon of Nathanael," which he always uses as a kind of specific on emergencies such as these, and occasionally also as a species of penance, and in order to mature his good resolutions of imitating, in his humble sphere, his illustrious model. Next morning he breakfasts (*O mores*) with Mistress Ann, the lady's-maid of Sir Thomas's aunt. On a later occasion we find him (the sleeping accommodation at the hall being somewhat contracted) relegated to the bedroom of Mr. Weston, the butler or steward in the London household. During Sir Thomas's residence, the regular dinner-hour seems to be two o'clock, after which the baronet spends the afternoon in

gaming and dice; to which, and to his lukewarmness in prayer, the chaplain attributes the fatal progress of Sophia's illness: "quod Sir T. B. abfuerit a precibus matutinis et tempus male collocaverit per totum ferè diem, et dum benedictionem prandio hodie invocarem, strophio componendo praesens vacaret." Alas! poor man; the long prayer fidgetted him and led him unconsciously to play with his neck-tie. Meantime, good Mr. Darby brings to the sick child "currantia aliqua, unam ex eis Chinensem:" what this Chinese plum could be, except it were a China orange, one cannot well guess. The more prudent Mr. Travers naturally adds: "quod ego aëgris oculis aspexi." A dreadful practitioner, by name Mr. Firmin, now comes on the scene, a true disciple of Sangrado. By him the unfortunate child is bled in the neck, and her death, now rendered inevitable, follows immediately after. The funeral, as it brings all the household to church, compels Mr. Travers to accompany the mourners, though he confesses during the service "partim languidus, partim affectus fui." After the funeral he visits the vaults under the church, where he sees the coffins of the ancestral Barnardistons (one, of immense size, the largest he had ever seen), together with those of some younger members of the family, whose lives probably might have been (like poor Sophia's) prolonged by wiser treatment. And now we have an episode of high art at Ketton. Mr. Haward, an artist, and nephew of Mr. Darby the rector, had been engaged to paint for the baronet a picture of the Emperor Charles V., probably in continuation of a series of imperial portraits. For we are early introduced to the scene of the village carpenter hanging the pictures of the twelve Cæsars in the great hall; a historic line which Sir Thomas seems to have been more anxious to reproduce on canvas than that of his twenty-five "Equestrian" ancestors. Mr. Travers thinks it desirable, therefore, to get up a little of the history of the great emperor, especially that of its monastic close, which he studies accordingly in the pages of Strada, "De Bello Belgico." As this allusion introduces us to the library at Ketton, we may here give such account as we are able of the books which the chaplain has recourse to in the baronet's collection. His reading is of a very mixed character, including a jumble of divinity, history, poetry, geography, and natural history, so strangely alternated, that from a long reading of the Psalms he falls back on Shakspeare's comedies; nay, once even

confesses "prius Shakpeare quam sacras literas legi." But Baxter's "Saint's Rest" appears to have been to him a most unailing resource — almost always concluding his readings — and constantly taken up as a kind of anodyne when any of the more trying passages of his chaplain duty, or any of the humiliations of his position in the household, which he seems keenly to feel, requires a spiritual remedy. Another book to which he almost as frequently resorts, is the memoir of the almost sainted Sir Nathanael, by Fairclough, which serves as a remedy in another way. For while Baxter opens to him the compensations of a future world, the panegyrical biographer, by telling him what the world of Ketton once was, and the high estate of its Puritan chaplains and dependants in a better day, enables him to revenge himself by the comparison, and gives him a *pièce de luxe*, in what must have otherwise been from its melancholy theme, a *pièce de resistance*. Other fare provided by the library was, Purchas's Pilgrim, Herbert's Poems, Ray's Phytologia Britannica (as a guide to the natural history of Ketton). Lord Bacon's Works, Olearius' Eastern Travels, A History of the Turks (with portraits of Tamerlane and Scanderbeg), besides theological works, practical and controversial, chiefly of a Nonconformist type, the classics, among which the Georgics of Virgil hold a high place, while the pictures of the Emperors bring in Suetonius as a necessary dish. But Shakspeare gives our chaplain his highest intellectual treat, and hours are spent over his historical plays and comedies, including those which he describes "omnino sorum titulorum," "Multum laboris circa nihil," et "Amoris labor perditus." The course of reading was not a little grotesque. Three or four Psalms are immediately succeeded by "King Lear" — that again by the meditations of M. de Brioux "On the Vanity of Human Wishes" — then we have political news and State trials, of which the *Gazette* of about a week or ten days old was almost the only reporter. Sometimes we read of such terrible inflictions as Edwards's "Sermon on Sin," preached at Cambridge at the time of the plague, over which the chaplain confesses, "Somnolentus evasi et dormivi per quasi semi horam." Lest the reader should do the same, we will at once fall back upon the more exciting topic of the political news which so slowly reached Ketton, either through private channels or the daily reports of London gossip, conveyed to the Hall by Mr. Darby, Mr. Barrington, and Mr. Tucker. To us,

whose life, if it have not extended between the birth of the great European revolutions and their latest developments, has yet covered some portion of this age of wonders and horrors, it must be strange to read of the trifling matters of political change which were then thought sufficiently wonderful and terrible to bring up Mr. Barrington or Mr. Tucker in hot haste to communicate them to the Ketton household. Of these topics, the most exciting were the trials of Ireland, Pickering, and Groves, for high treason, the sentence of the pillory upon Reading and others, the long impeachment and trial of the Lord Treasurer Danby, the difficulties springing up thereout between the King and the House of Commons, the case of Sir Edmondsbury Godfrey, the reconstruction of the Privy Council by Charles II., on which the chaplain gives a long digression, and the opinions and plans of the papists. This last subject furnishes the following episode:—

"After dinner we all engaged in conversation on the opinions of the papists, Mr. Darby giving us the occasion for it by mentioning the books of Dr. Barlow, Bishop of Lincoln, whereupon he told a remarkable story which Arthur, Earl of Essex, had related to a person who was wondering how those convicted for treason, and for the murder of Sir Edmondsbury Godfrey, had one and all asserted their innocence to the last. To whom my Lord replied: 'When I was Viceroy in Ireland, a murder was committed there, of which a certain man was found guilty and condemned, who not less vehemently than these protested his innocence till he came to the gallows. It happened, through God's permission, that this man, being very corpulent, broke the rope, and, though at first seeming dead, was brought to life. When he came to himself, he said that he rejoiced that he had that short respite of life, momentary though it was, in order that he might relieve his conscience by confessing that he had actually killed the man for whose murder he was convicted. The priest (he said) who confessed him had denied him absolution unless he gave a solemn promise that he would deny his guilt to the very moment of his death.' The Earl added that he was intending to send to Ireland to procure the whole trial and the facts from the original archives. 'I should rather fear' (observed our good chaplain) 'lest he had absolved me under the condition that I should be everlastingly condemned hereafter.'"

But while this was a good specimen of the conversation in the "triclinium exterius" on serious subjects, we have an equally suggestive sketch of a conversation of a lighter character. From many indications, we are led to conclude that the excessive pressure of religious topics

on other occasions found a little counter-acting influence at the dinner-table. "Garvinius nimis otiose ad prandium" is a confession which in manifold forms finds utterance in Mr. Travers's diary. On one occasion, while sitting at supper with Mistress Harvey, Mistress Anna, the lady's-maid, Mr. Haward, the artist, Mdlle. Loisel, and Mr. Arthur Barnardiston (whose position in the household presents a problem which would puzzle Sir Bernard Burke himself to reconcile with the proprieties of the great "equestrian family"), the conversation turns on matrimonial gossip, report giving Mr. Arthur to Mrs. Harvey, while another rumour implicated Mdlle. Loisel. Here it is impossible to depart in a single word from the grotesque original—"Mr. A. B. coram omnibus dixit sermonem esse eum ducturum esse Mdlle. Loisel." Cui illa "*Loot, then, Mr. Travers, you had better have held your tongue.*" Cui ego extemplo "*Why, what am I the worse?*" After a little more of such bantering, we arrive at the still more perplexing conclusion—"Precatus sum breviter et serio et in omnibus Domino me submittens." The reader, will perhaps, too readily conclude that a chaplain's life at Ketton was after all, a merry life, and that Mr. Travers had little to complain of in his treatment by the "equestrian" family. There is, however, another side of the picture; and the slights and indifference he has sometimes to encounter try to the very utmost the humility and gentility of his nature. On one occasion, he meditates sadly on the thought that he is treated "no better than a servant:" having to rise from table before the rest, while "everything cold and rejected by every other guest is offered to him." Of this, however, he complains less, than that such servile respect is required of him by Sir Thomas and his lady that he dares not even say a word or utter an opinion on matters belonging to his own office and province. This meditation appropriately closes with a prayer for patience and resignation under such varied affronts. But here we are compelled to admit that he brings them not a little upon himself. For he toadies Lady Wimbledon to such a degree that she does not think it unbecoming to send him a guinea when she leaves, which he accepts with as unbecoming a degree of grateful servility. But he has a consolation of another kind which is altogether denied his persecutors, and that is, a real Nonconformist martyrdom. From his high position in regard to the Establishment, he is able to discuss

with Mr. Tucker the proceedings of Convocation in regard to "comprehension, toleration," and many subtle points which that learned body seems "ever learning," though "never able to come to the knowledge of," while to Mr. Fairclough (the son probably of the former rector, the author of the Funeral Sermon), and to Mr. Darby he holds his own against the Book of Common Prayer, and the seductive persuasions of those who were tempting him to hear it. From the same elevation like the angels "on the hill apart," he holds converse with Mdlle. Loisel—a relic most probably of French Calvinism—on "the absolute predestination of the minutest events in the lives of the elect." It must here be confessed that the Church herself had somewhat the manners of a step-mother to such erring children as Mr. Travers. All was harsh and uninviting, and the rules of a "close communion" were so carried out in what was professedly an "open" one, as to make it difficult for men in our chaplain's position to return to the Church without the apparent surrender of Christian liberty. "I was so affected," he tells us once, "with Mr. Darby's sermon that I was disposed to receive the Eucharist with him, but that he had required all who wished to do so to give notice during the week preceding, which I had not done." Surely so slight a barrier might have been removed in such a case. We must not, however, conclude from this short retrospect of our chaplain's religious history that it ended altogether in talk. The religious societies, those great forcing-houses of exotic plans and productions, did not then exist, or at least were only just born. But such charitable works as redeeming Christians from Turkish and Algerian slavery had full scope among us, and had due recognition at Kerton. The son of a poor Leicestershire clergyman, a Mr. Ouseley, had thus fallen among thieves, and good Mr. Travers produced as much as three and sixpence to increase the gathering at the Hall, while Mistress Harvey added her two shillings to the half-guinea of my lady, and poor Mdlle. Loisel found a shilling for the same necessary object. Our young friend Michael Barnardiston acts as collector on this occasion, and is remitted five bad marks and a detention during dinner-time for his zeal in his new office. Poor boy! as his studies in the catechism were of the abstrusest kind, including the doctrines of "effectual calling, justification, sanctification, and adoption," not to speak of the higher mysteries of election and final perseverance, which come oc-

casionaly into the foreground, he might well sympathize less with the tutor than with his uncle "*qui defessus venando jussit me solummodo precari*." Sometimes, as we shall see, the baronet's fatal wish brought him more inextricably into the chaplain's net than he could have expected.

For now a more important personage comes upon the stage, the great Puritan mother-in-law, the Viscountess Wimbledon, whose arrival occasions even more sensation than the *Gazette* of the past week, or even the intelligence of the death of the King of Sweden. The visit seems rather unexpected. "While we were at dinner," writes the amazed chaplain, "news was brought us that the carriage containing Lady Wimbledon and Lady Barnardiston was only two miles off." After a colloquy with the outriders who carried on this important news, and a "retirement to implore the Divine counsel!" (for what, it does not appear), our author descends the great staircase, confronts the dreaded Sir Thomas, "*qui me vix asperxit*," and mortified at his rudeness, returns to his apartment, where he has instant recourse to "Baxter's Saint's Rest," and derives from that the conclusion that "happiness is not to be looked for in this world," "*ob incapacitatem nostram naturalem et moralem*." His old friend, that good Samaritan, Mr. Barrington, arrives soon after to reassure his mind, bringing letters from his cousin Howe and other relatives, which greatly consoled him. Then he is taken to be introduced to Lady Wimbledon's chaplain, Mr. Wills, a great preacher, but of a somewhat melancholy tone, perhaps in part attributable to his singular affliction in losing his eldest daughter through her falling into a well the night before she was to have been married. From the grand chaplain there is only a single step to the grand patroness, whom he now sees for the first time, "*quantum scio*," he adds, that he may impart a little degree of carelessness and indifference to what he too evidently regards as one of the greatest epochs of his life. The morning after this courtly interview, both the chaplains breakfast with the cook, the lady's-maid, and the butler, — *sic transit gloria mundi*! But Mr. Travers's happiness is completed by the arrival of a coat from London, which so exactly fits him, that he exclaims in that spirit of thankfulness which is habitual to him: "*Tentaturus indui an congrueret. Congruit, sit Deo gratia optime*." In the meantime everything centres in the august mother-in-law, who

attracts into her sphere even Mr. Giles Barnardiston, a Quaker, from his very distant and then unfashionable orbit. And now a grand opportunity occurs to the chaplain to punish the shortcomings of the baronet, and to inflict upon him a real Puritan's penance. While Sir Thomas was anxiously awaiting his dinner (probably *defessus venando*, as before), the introductory scene is thus described:—

"Mr. Crow, of Ovington, prayed for more than half an hour. Then, when he had finished (at about a quarter to two—a late hour for the Kitton dinner), though Mr. Seandridge, of Haverhill, had arrived, *lest he should pray too long*, Sir Thomas and the rest (his hunting friends), bade me to close the work of the day with a prayer, which I did as the Lord inspired me, not with the mere aid of intellect or art, but by direction of the Spirit alone—in the confession of sins general, special, and in Divine worship, (an evident hint at Sir Thomas and the neck-tie), in imploring pardon and grace, and the spirit of adoption, . . ."

with much more. This harangue, half prayer, half sermon, went on to such a length, that the chaplain was obliged to revive himself, "*poculo vini albi gallici*." But he had his revenge, and soon after (better still)—his dinner. Such a faithfulness in rebuking her son-in-law, was also a most effectual way of ingratiating himself with the Viscountess, whose influence might be of the greatest advantage to him. For Lady Wimbledon, as far as we see her in these pages, was a woman of the highest type of religious character, resembling not a little the good Lady Huntingdon of a later day. The end of life seemed to her to be preaching and propagating religious doctrines, and she never rests in her pilgrimage after newer and greater spiritual lights. At Cecil House, in the Strand, her own dower-house (so recently and unfortunately burnt down), as well as at Ketton, where she often stayed, and where is a stately cenotaph to her memory among the monuments of the Barnardistons, she seems to have laboured to keep up those devotional fires which were so feebly flickering in that Church to which, though a Puritan, she was so evidently attached.

At this moment another son had been added to the Barnardiston family, and the christening rejoicings had clearly a severer character from the influence of the good dowager. Altogether, the guests at Ketton Hall, at this period, must have represented some rather grotesque contrasts. On the one side her Ladyship, Mr. Wills, and Mr. Travers discoursing *de magnalibus*

religionis; while Mr. Layer and other of the hunting companions of the baronet are not quite in a state to enter upon any discourse at all. "*Abierunt, hic quoque ebrius*," is a not unfrequent *obiter dictum* of the chaplain. But had Mr. Wills communicated to Sir Thomas and his friends the wonderful recipes which he had gathered from "ladies of quality" in London, he might have given them an element of gaiety to mix with all this gravity. What could be more exciting in this way than the receipt he gave to the wondering household at Ketton for the cure of small-pox, which he propounded in this form:—"Let the patient procure a pair of new cotton drawers, which have never been worn before; directly the disease shows itself, let him put them on, and immediately all the eruption will be drawn down from his face to his legs and feet. Let him keep them on until the disease goes down." The presence of Mr. Wills enables our chaplain to pay a short visit to London. Having borrowed Mr. Coles's (the gardener's) mare, he starts forth to the great city, arriving at Chelmsford at eleven o'clock. There he takes a glass of Spanish wine and some bread, and stretches himself upon the chairs to get a little sleep. He wakes in an hour's time pays his bill, viz., a shilling for himself, and fivepence for his mare, and starts again at ten o'clock, reaching Romford at five. Thence at six he proceeds on his way (now rendered less pleasant from the rain), and passes Stratford-le-Bow as it strikes nine. That classic region of Chaucer seems to keep quicker time than the great metropolis, for the same hour struck again when he reached Aldgate. Here he puts up the mare at the sign of the "Saracen and Bell," calls at the Verderer's office, where he delivers some letters for Mr. Wills; walks to King-street, Guildhall, and there takes a coach to Lady Wimbledon's at Cecil House, in the Strand. Here he finds Mr. Weston, and sups with Sir Thomas Barnardiston. There seem to have been no prayers on this occasion, Sir Thomas being *en garçon*; so he retires to rest without being even charged "*solummodo precari*." On the next morning he waits patiently for a summons from the baronet to family prayer; but alas! he gave him the slip and had gone out in the midst of the chaplain's vigils. Presently he starts to Tanners' Hall, where cousin Howe was "praying and preaching," and "praying again." He then accompanies his relative to Lord Massareene's, for whose chaplaincy in Ireland he had evidently

come to London to make application. This office "Cousin Howe" had long filled, and he is anxious that our chaplain should become his successor. After a brief interview with my lord at the "Blue Boar's Head" in Paternoster row, he is invited to call upon him at his hotel (called the "Red and Yellow Ball") in Pall-mall. Here he meets Mr. Skeffington and Sir Charles Horton, and soon after learns that his application is favourably regarded, and that Lord Massareene is about to write to Sir Thomas on the subject. He breakfasts next day at Loriners' Hall, where there is a real feast of Nonconformist oratory. Cousin Hughes prays; Cousin Howe preaches; Mr. Wigan prays again; then Mr. Bull preaches; then one more prayer (and, doubtless a long one) from Dr. Jacomb, to conclude the function. Afterwards he pays a visit to the "Three Black-birds," and his old host Mr. Bransill. Family visits now take up his time, and family dinners, at which assemble all the cousins Howe, including one from Plymouth, and a French youth, a friend of the last-named. Then he pays cousin Hughes thirty-eight shillings for the coat he had procured for him,* borrows from him two "Concordances," and receives, as a gift, Mr. Alsop's book against Goodman. Then he prepares, with this timely aid, the sermon he is to deliver the next day before Lord Massareene, and the still more important critic, cousin Howe. This probationary discourse completes his appointment, for he soon after learns that he is duly accepted, and ejaculates: "Sit Deo gratia in æternum!" Presently cousin Hughes gives him ten shillings, "which I here record in remembrance of the Divine mercy and his kindness; as, without this aid, I should have had to borrow." "I spent it, however, badly." A shilling of it went in "wine and a lemon," four shillings in a book which he "had no need of." London life does not, indeed, seem to benefit his spiritual state: "Precæ.us sum infirmè. Cum familiâ non precatus sum. Nihil dedi famulis." We gladly, therefore, accompany our friend on his return to Ketton, during which, a somewhat miraculous effect is asserted as following his prayers: "Cum pluisset dui, et non videretur spes ulla cessandi, oravi Deum et in momento quasi temporis pluvia cessavit . . . dum domum venissemus; et statim pluit iterum strenue." The good chaplain believed

faithfully in the miraculous results of prayer. Is it altogether impossible that he should have experienced them?

A day or two after, poor Michael Barnardiston, a fine, spirited boy, who is at once the special charge and the *enfant terrible* of Mr. Travers, had been over-exciting himself, "*variis exercitationibus corporis*,"—ringing the bells, playing at football, fighting with the village boys, so as to get hurt in the conflict, and finally, drinking cold water—all which ends in a fever, and this gives new scope for the dreadful Mr. Firmin, who at once bleeds him first in the arm and then under the tongue; a strange treatment for what is described to be rather an attack of exhaustion from the heat and exercise than anything of feverish type. Death, the inevitable conclusion of Mr. Firmin's surgical course, follows even more rapidly than in the case of Sophia—a coroner's inquest meeting afterwards at Ketton Hall to decide whether the blow or the fever (they should have added the remedy) were the true cause of the death. Of course they fixed upon the fever. During the poor boy's illness, and before it seemed to be serious, we are entertained with a visit to Bury St. Edmunds, whither our chaplain is accompanied by a friend, Mr. Leadbeater. They put up at the "Black Bull," and thence sally forth to see the town. He meets Mr. Haward and accompanies him "*ad Coffeepolium*," where (we regret to say) he drinks something much stronger than coffee—nothing less than the celebrated old Teutonic beverage called "Mum," for which he gives in another place a marvellous receipt derived from the Town-house in Brunswick. No wonder that such a compound makes him feel in a very doubtful state—"invasit caput non tamen ut ebrium essem sed modum excesserim." He pays threepence at the coffee-house, and a shilling at the inn. Another visit to London, where he makes his final arrangements with Lord Massareene, succeeds immediately during which nothing (beyond his hearing the great Mr. Baxter preach) occurs worthy of record. He returns immediately to Ketton to take leave of the household, to preach his valedictory sermon, and to prepare for his journey to Ireland. Invited to visit Hampden, as he passes from London to Chester, and to spend a day or two with the head of that great historic family whose name is precious to every English heart,—in which, moreover, his cousin, George Howe, was then installed as chaplain, he starts without delay in the

* The price of a hat appears to be at this time as much as twenty shillings, for he pays this sum for a hat for Mr. Darby, and the same for the good steward, Mr. Shelley.

Aylesbury coach, taking his place thither, at the "Black Swan" in Holborn — than really a *rara avis in terris*. He dines at Uxbridge, at six o'clock in the evening arrives at Wendover, where he puts up at the "White Crow," a proper companion to the Holborn bird. At Hampden, the head of the house with his eldest son, receive him and entertain him with much hospitality for several days. After hearing him preach in the great Hall and taking part with him in various religious services, which seem to have been as frequent at Hampden as at Ketton, his good host takes leave of him and speeds him on his journey. He first arrives at Banbury, where he sleeps, then on the next day at Warwick, and thence proceeds to Birmingham, which he reaches at five o'clock. At the last place he is joined by his wife and daughter, and spends some time in their society and that of his friends, among whom John Heath, a Quaker, and his daughter, find special mention. Taking leave of his wife for the present, he begins his journey to Ireland, reaches Newport on September 3rd, Chester on the 4th, and finally Neston, where he spends the night, recording pathetically, "*somni parum cepi, a pulcibus fernè devoratus.*" On the morrow he embarks, but the unfortunate craft drives upon the sands, and the whole of the next day is stuck fast on the "bars of Chester." Freed from their captivity, our travellers at last get out into the open sea, and pass the Skerries, where, "a few years since (we are reminded) the Earl of Meath and many others were shipwrecked in one of the king's vessels." Next, they pass Holyhead, and after another day and night on the water, come within sight of the hill of Howth, and presently cast anchor. Mr. Travers remains in Dublin for some days, hospitably entertained by and entertaining in his own fashion, many kindred spirits, and at last starts to Drogheda. Here, dismissing the young man who had acted as his guide, he passes on to Dundalk, and after dinner begins anew his journey through the most perilous mountain districts beyond. He finds that these are beset with brigands, and meditates whether he shall get a safe-conduct, or trust to Providence. He is relieved from his doubt by finding that a young gentleman (Mr. Clinton of Clintonsville) is going in the same direction — a papist and a man of influence, for whose friends the brigands have a great awe and veneration. With him he joins himself, and engages in interesting converse with him till he reaches Newry. When they part, his companion

commends him to a good hostelry, where he puts up, meeting there a young clergyman of Dromore, "*ingeniosus sed parum pius.*" With him he confesses he took more than was quite good for him, adding with his usual simplicity, "*cum Gulielmo tamen precatus sum.*" Next day he resumes his journey through a mountainous district, "*infamous*" (as he tells us) "for the wicked and cruel slaughter of the English during the rebellion." He then reaches Mahra Lynn, where he dines, arriving next at Antrim. Here Lord Massareene joins him with his family, and here he suddenly becomes silent; "not so much" (he says) "immersed in a healthy sleep as in a lethargy, neglecting to observe, or at least to record, the works of God." It appears, however, that domestic troubles, unknown, or at all events seen at a great distance at Ketton, had now come upon him, and the spirit of his dream in the "*triclinium exterius*" of the baronet was sadly changed. His half-bachelor life with Mistress Harvey and Mistress Ellis, his colloquies with Sarah Steele and Mdlle. Loisel all had passed away. Mistress Travers, as a woman of spirit, cannot brook the real or imaginary affronts to which her husband is subjected; and sometimes utters severe remarks on "this family," as she terms it, "lamenting our position, and the contempt which is shown to me, and declaring that she is determined to go back to England, whatever I may do myself."

How could a diary be continued but as a constant "thorn in the flesh" under such circumstances? Though we are told that his prayers and sermons had more than usual unction at this trying period we find no trace whatever of the genial literature of Ketton or Shaksperian readings, of travels, geography, history, politics, the *Gazettes* from London, or the precious fragments of news which are brought up (sometimes it must be confessed, almost in a fossil state) by Mr. Barrington and Mr. Tucker. All in the Castle of the Massareenes is preaching, praying, expositions, psalmody, religious talk, and religious controversy, hardly so good a scheme for promoting real and healthy religion as the mixed literature of Ketton Hall — the pictures of the twelve Cæsars, the case of the Lord Treasurer Danby, or even the murder of Sir Edmondsbury Godfrey. Indeed, the difficulties of our chaplain seem to increase with the religious sentiment he is supposed to represent, and besides some terrible conflicts with a resolute Conformist, Mr. Humble, on the Book of Common

Prayer, he gets between the horns of a still more perplexing dilemma on the occasion of the marriage of the daughter of his patron to a Mr. George St George, a young man of the type of Sir Thomas, "qui nunc est—cujus animus ab hoc officio aversus est." For his Lordship asks our friend to pray upon the subject of the intended marriage in such ambiguous terms, that poor Mr. Travers knows not whether he is to ask for the divine counsel whether the match is to come off, or to ask for the divine blessing on its ratification. Unfortunately this difficulty is succeeded by a still greater one on the part of Mrs. Travers, whose outbreak of indignation at what she considers the contemptuous treatment of the Viscountess, so disheartens our good chaplain, that his pen, after a few feeble efforts, falls from his hand. We have but few touches of his inner and outer life, and these but faintly drawn, till we arrive at the date of December 3rd, 1681, where our acquaintance with him suddenly breaks off. He resumes the thread for a moment in October, 1683, but he does not seem to have the heart to tell us much more of his history, and a single mutilated leaf is all that remains of his third attempt to describe (as he says) "the daily state of his soul." He would seem to be still with the Massareenes, in whose country he probably made his final settlement. And, as a large family was now gathering round him whose home it was not easy to move in those days of slow locomotion, when travellers from London slept the first night at Uxbridge, we may well conclude that among the good Presbyterians of Ulster, or its more moderate Episcopalians, there may be many yet to trace their origin, and perhaps their strong religious convictions, to the good Master Elias Travers, and to the pious resolutions formed at "his chambers at Mr. Bransill's at the 'Three Blackbirds' in Holborn."

From Macmillan's Magazine.
THE STRANGE ADVENTURES OF A
PHAETON.

BY WILLIAM BLACK, AUTHOR OF "A DAUGHTER OF HETH," ETC.

CHAPTER VI.

A GIFT OF TONGUES.

"My lady is an archer rare,
And in the greenwood joyeth she;
There never was a marksman yet who could compare
In skill with my ladie."

EARLY morning in Henley! From over the wooded hills in the east there comes a

great flood of sunshine that lies warmly on the ruddy side of the old inn, on its evergreens, and on the slopes of sweet-scented mignonette, and sweetbriar, and various blossoms that adorn the bank of the river. The river itself, lying apparently motionless between level and green meadows, has its blue surface marred here and there by a white ripple of wind; the poplars that stand on its banks are rustling in the breeze; there are swallows dipping and skimming about the old bridge, and ducks paddling along among the rushes and weeds, and cattle browsing in the deep green; and further on, some high-lying stretches of rye-grass struck into long and silvery waves by the morning wind.

All the stir and the motion of the new day have come upon us; and Henley, clean, white, and red, with its town-hall shining brightly down its chief street, and all its high clusters of old-fashioned houses backed by a fringe of dark-wooded hill, shows as much life and briskness as are usually seen in a quaint, small, old-fashioned English town. But where the silence and the stillness of the morning dwell is away up the reach of the river. Standing on the bridge, you see the dark blue stream, reflecting a thousand bright colours underneath the town, gradually become greyer in hue until it gets out amid the meadows and woods; and then, with a bold white curve, that is glimmering like silver in the north, it sweeps under that line of low, soft green hills which have grown pearly and grey in the tender morning mist. Bell is standing on the bridge, too. The Lieutenant has brought out her sketch-book, and she has placed it on the stone parapet before her. But somehow she seems disinclined to begin work thus early on our journey; and, instead, her eyes are looking blankly and wistfully at the rich green meadows, and the red cows, and the long white reach of the river shining palely beneath the faint green heights in the north.

"Is Henley the prettiest town in the world, I wonder?" she said.

"Yes, if you think so, mademoiselle," replied Von Rosen, gently.

She lifted her eyes towards him, as though she had been unaware of his presence. Then she turned to the stream.

"I suppose, if one were to live always among those bright colours, one would get not to see them, and would forget how fine is this old bridge, with the pretty town, and the meadows, and the stream. Seeing it only once, I shall never forget Henley, or the brightness of this morning."

With that, she closed her sketch-book, and looked round for Tita. That small person was engaged in making herself extremely wretched about her boys and the pony; and was becoming vastly indignant because she could get no one to sympathize with her wild imaginings of diverse perils and dangers.

"Why, to hear you talk," she was saying at this moment, "one would think you had never experienced the feelings of a parent—that you did not know you were the father of those two poor boys."

"That," I remark to her, "is not a matter on which I am bound to express an opinion."

"Very pretty—very!" she said, with a contemptuous smile. "But I will say this—that if you had had to buy the pony, the boys would have had to wait long enough before they were exposed to the dangers you think so little about now."

"Madam," I observe, sternly, "you are the victim of what theologians call invincible ignorance. I might have bought that pony and all its belongings for a 20*l.* note; whereas I shall have to pay 40*l.* a year for its keep."

"Oh, I know," says my Lady, with great sweetness, "how men exaggerate those things. It is convenient. They complain of the cost of the horses, of the heaviness of taxes, and other things; when the real fact is that they are trying to hide what they spend out of their income on cigars, and in their clubs when they go to town. I counted up our taxes the other day, and I don't believe they have been over 8*l.* for the whole of the last six months. Now you *know* you said they were nearly 35*l.* a year."

"And you counted in those that are due next week, I suppose?"

"Did you leave money to pay for them?" she asks, mildly.

"And you based your calculations on some solitary instalment for armorial bearings?—which you brought into the family, you know."

"Yes," she replies, with an engaging smile. "That was one thing you did not require before—I am sorry to have caused you so much expense. But you need not avoid the subject. Mrs. Quinet told me last week that she knows her husband pays every year 65*l.* for club-subscriptions alone, and nearly 40*l.* for cigars."

"Then Mrs. Quinet must have looked into your eyes, my dear, and seen what a simple little thing you are; for your knowledge of housekeeping and other expenses, I will say, is as slight as need be, and Mrs.

Quinet has been simply making a fool of you. For the Major belongs to two clubs, and in the one he pays eight guineas and in the other ten guineas a year. And he smokes Manillas at 25*s.* a hundred, which is equivalent, my dear—though you will scarcely credit it—to threepence apiece."

"The money must go somehow," says Tita, defiantly.

"That is a customary saying among women; but it generally refers to their own little arrangements."

"You avoid the question very skilfully."

"I should have thought you would have preferred that."

"Why?" she says, looking up.

"Because you accused me of stinginess in not buying a pony for the boys, and I showed you that I should have to pay 40*l.* a year for the brute."

"Yes, *showed* me! I suppose by that pleasing fiction you will gain other 20*l.* a year to spend in Partagas, and Murias, and trumpery stuff that the tobacconists tell you came from abroad."

"My dear," I say, "your insolence is astounding."

"If you call speaking the plain truth insolence, I cannot help it. Bell, breakfast must be ready."

"Yes, my Lady," says Bell, coming forward demurely. "But I wasn't doing anything."

So they went off; and the Count and I followed.

"What is the matter?" says he.

"Do you know what a 'relish' is at breakfast?"

"No."

"Then don't marry, or you will find out."

The tall young man with the brown beard and the light eyes shrugged his shoulders, and only said, as we walked to the inn—

"That is a very pleasant comedy, when it means nothing. If it was earnest you would not find so much enjoyment in it—no, not at all—you would not amuse yourselves like two children, instead of the parents of a family. But, my dear friend, it is a dangerous thing; for some day you will meet with a stupid person who will not understand how Madame and yourself do make-believe in that way, and that person will be astonished, and will talk of it, and you will both have a very bad reputation among your friends."

However, there was one amiable person at the breakfast-table, and that was Bell.

"Bell," I said, "I am going to sit by you. You never provoke useless quarrels

about nothing; you are never impertinent; you never argue; and you can look after a breakfast-table better than people twice your age."

Bell prudently pretended not to hear; indeed, she was very busy helping everybody and making herself very useful and pleasant all round. She seemed to have forgotten her independent ways; and was so good-naturedly anxious to see that the Lieutenant's coffee was all right, that he was apparently quite touched by her friendliness. And then she was very cheerful, too; and was bent on waking up the spirits of the whole party—but in a bright, submissive, simple fashion that the audacious young lady did not always affect.

"Did you hear the cocks crowing this morning?" she said, turning to Von Rosen with her frank eyes. "I thought it was so pleasant to be woke up that way instead of listening to the milkman coming along a dismal London square, and calling up the maidservants with his '*El-cho! El-cho!*' But did you notice that one of the cocks cried quite plainly, '*Oh, go away! Oh, go awa-a-ay!*'—which was a stupid animal to have near an inn; and another fine fellow, who always started with a famous flourish, had got a cold, and at the highest note he went off at a tangent into something like a plaintive squeak. The intention of that crow, so far as it went, was far better than the feeble '*Oh, go away!*' of the other; and I was quite sorry for the poor animal.—Do have some more toast, Count.—He reminded me of poor Major Quinet, Tita, who begins a sentence very well; but all at once it jerks up into the air—goes off like a squib, you know, just below his nose; and he looks amazed and ashamed, like a boy that has let a bird escape out of a bag."

"You need not amuse yourself with the personal defects of your neighbours, Bell," says Tita, who did not expect to have Major Quinet brought forward again. "Major Quinet is a very well-informed and gentlemanly man, and looks after his family and his estate with the greatest care."

"I must say, Tita," retorted Bell (and I trembled for the girl), "that you have an odd trick of furnishing people with a sort of certificate of character, whenever you hear their names mentioned. Very likely the Major can manage his affairs in spite of his cracked voice; but you know you told me yourself, Tita, that he had been unfortunate in money matters, and was rather perplexed just now. Of course, I wouldn't say such a thing of one of your

friends; but I have heard of bankrupts; and I have heard of a poor little man being so burdened with debt, that he looked like a mouse drawing a brougham, and then, of course, he had to go into the Court to ask them to unharness him.—Do have some more coffee, Count; I am sure that is quite cold."

"You ought to be a little careful, Bell," says my Lady. "You know absolutely nothing of Major Quinet, and yet you hint that he is insolvent."

"I didn't—did I?" says Bell, turning to her companion.

"No," replies the Count, boldly.

At this Tita looked astonished for a second; but presently she deigned to smile, and say something about the wickedness of young people. Indeed, my Lady seemed rather pleased by Bell's audacity in appealing to the Lieutenant; and she was in a better humour when, some time after, we went out to the river and got a boat.

Once more upon the Thames, we pulled up the river, that lies here between wooded hills on the one side, and level meadows on the other. The broad blue stream was almost deserted; and as we got near the green islands, we could see an occasional young moor-hen paddle out from among the rushes, and then go quickly in again, with its white tail bobbing in unison with its small head and beak. We rowed into the sluice of the mill that lies under Park Place, and there, having floated down a bit under some willows, we fixed the boat to a stump of a tree, landed, and managed to get into the road along which we had driven the previous night. As we ascended this pleasant path, which is cut through the woods of various mansions, and looks down upon the green level of Wargrave Marsh, and the shining meadows beyond the other bank of the river, the ascents and descents of the road seemed less precipitous than they had appeared the night before. What we had taken, further, for wild masses of rock, and fearful chasms, and dangerous bridges, were found to be part of the ornamentation of the park—the bridge spanning a hollow having been built of sham rock-work, which, in the daylight, clearly revealed its origin. Nevertheless the road leading through the river-side woods is a sufficiently picturesque and pleasant one; and in sauntering along for a mile or two and back we consumed a goodly portion of the morning. Then there was a brisk pull back to Henley; and the phaeton was summoned to appear.

When the horses were put in, and the phaeton brought out, I found that Von Rosen had quietly abstracted the bearing-reins from the harness, some time during the morning. However, no one could grudge the animals this relief, for the journey they had to make to-day, though not over twenty-three miles was considerably hilly.

Now Tita had come early out, and had evidently planned a nice little arrangement. She got in behind. Then she bade Bell get up in front. The Lieutenant had lingered for a moment in search of a cigar-case; and my Lady had clearly determined to ask him to drive so soon as he came out. But, as she had not expressed any contrition for her conduct of that morning, some punishment was required; and so, just as Von Rosen came out I took the reins, stepped up beside Bell, and he, of course, was left to join the furious little lady behind.

"I thought the Count was going to drive," says Tita, with a certain cold air. "Surely the road to Oxford is easy to find."

"It is," I say to her. "For you know all roads lead to Rome, and they say that Oxford is half-way to Rome—*argal*—"

But knowing what effect this reference to her theological sympathies was likely to have on Tita, I thought it prudent to send the horses on; and as they sprang forward and rattled up the main street of Henley, her retort, if any, was lost in the noise. There was a laugh in Bell's eyes; but she seemed rather frightened all the same, and said nothing for some time.

The drive from Henley to Oxford is one of the finest in England, the road leading gradually up through pleasant pastures and great woods until it brings you on to a common—the highest ground south of the Trent—from which you see an immeasurable wooded plain stretching away into the western horizon. First of all, as we left Henley on that bright morning, the sweet air blowing coolly among the trees, and bringing us odours from wild flowers and breadths of new-mown hay, we leisurely rolled along what is appropriately called the Fair Mile, a broad smooth highway running between Lambridge Wood and No Man's Hill, and having a space of grassy common on each side of it. This brought us up to Assenton Cross, and here, the ascent getting much more stiff, Bell took the reins, and the Count and I walked up the hill until we reached Bix turnpike.

"What a curious name!" said Bell, as she pulled the horses up.

"Most likely," said the Lieutenant, who was looking at an ancient edition of Cary's Itinerary, "it is from the old Saxon *bece*, the beech-tree, which is plentiful here. But in this book I find it is *Bixgibwen*, which is not in the modern books. Now what is *gibwen*?"

"St. Caedwyn, of course," said Bell, merrily.

"You laugh, but perhaps it is true," replied the Lieutenant, with the gravity befitting a student: "Why not St. Caedwyn's beeches? You do call many places about here by the trees. There is Assenton; that is the place of ash-trees. We shall soon be at Nettlebed; and then comes Nuffield, which is Nutfield,—how do you call your wildnut tree in England?"

"The hazel," said Bell. "But that is commonplace; I like the discovery about St. Caedwyn's beeches better: and here, sure enough, they are."

The road at this point—something less than a mile past Bix turnpike—plunges into a spacious forest of beeches, which stretches along the summit of the hill almost on to Nettlebed. And this road is bordered by a strip of common, which again leads into a tangled maze of bracken and briar; and then you have the innumerable stems of the beeches showing long vistas into the green heart of the wood. The sunlight was shimmering down on the wilderness, lying warmly on the road and its green margin, and piercing here and there with golden arrows the dense canopy of leaves beyond. High as we were the light breeze was shut off by the beeches, and in the long broad cleft in which the road lay the air was filled with resinous odours, that of the tall green and yellow brackens prevailing. An occasional jay fled screaming down between the smooth grey branches, giving us a glimpse of white and blue, as it vanished; but otherwise there seemed to be no birds about and the wild underwood and long alleys lay still and warm in the green twilight of the leaves.

"It is very like the Black Forest, I think," said the Lieutenant.

"Oh, it is much lighter in colour," cried Bell. "Look at all those silver greys of the stems and the lichens, and the clear green overhead, and the light browns and reds beneath, where the sunlight shines down through a veil. It is lighter, prettier, more cheerful than your miles of solemn pines, with the great roads cut

through them for the carts, and the gloom and stillness underneath, where there is no growth of underwood, but only level beds of green moss, dotted with dropped cones."

"You have a very accurate eye for colours, mademoiselle; no wonder you paint so well," was all that the Lieutenant said. But Tita warmly remonstrated with Bell.

"You know Bell," she said, "that all the Black Forest is not like that; there is every variety of forest-scenery there. And pray, Miss Criticism, where were the gloomy pines and the solemn avenues in a certain picture which was sold at the Dudley last year for twenty-five solid English sovereigns?"

"You needn't tell Count von Rosen what my income is," said Bell. "I took two months to paint that picture."

"That is a very good income," said the Lieutenant, with a smile.

"I do not like people with large incomes," said Bell, dexterously avoiding that part of the subject. "I think they must have qualms sometimes, or else be callous. Now I would have everybody provided with a certain income, say 200*l.* a year; but I would not like to prevent all competition, and so I would fix an income at which all people must stop. They might strive and strive if they liked, just like bells of air in a champagne glass, you know, but they should only be able to reach a certain level in the end. I would have nobody with more than 1,000*l.* a year; that would be my maximum."

"A thousand a year!" exclaimed Tita. "Isn't a thousand ten hundred?"

"Yes," said Bell, after a second's calculation.

"And suppose you have one hundred to pay for two boys at school, and another hundred for rent, and another hundred for the keep of two horses, and a hundred and twenty for servants' wages——"

"Perhaps, Tita," I suggest in the meekest possible way, "you might as well tell Count von Rosen what you pay for a leg of mutton, so that when he next comes to dine with us he may enjoy himself the more."

It is well that the lightning which is said to dart from women's eyes is a harmless sort of thing—a flash in the pan, as it were, which is very pretty, but sends no deadly lead out. However, as Queen Tita had really behaved herself very well since we set out from Henley, I begged Bell to stop and let us in, and then I asked the Lieutenant if he would drive.

By this time we had walked the horses nearly to the end of the pleasant stretch of beechwood, which is about a mile and a half long, and before us was a bit of breezy common and the village of Nettlebed. Von Rosen took the reins and sent the horses forward.

"Why did you not continue to drive?" said Tita, rather timidly, when I had taken my seat beside her.

"Because we shall presently have to go down steep hills; and as the Count took off the bearing-reins this morning, we may as well hold him responsible for not letting the horses down."

"I thought perhaps you wanted to sit beside me," she said, in a low voice.

"Well, now you mention it, my dear, that was the reason."

"It would have been a sufficient reason a good many years ago," she said, with a fine affectation of tenderness; "but that is all over now. You have been very rude to me."

"Then don't say anything more about it: receive my forgiveness, Tita."

"That was not the way you used to speak to me when we were at Eastbourne," she said; and with that she looked very much as if she were going to cry. Of course she was not going to cry. She has had the trick of looking like that from her youth upward; but as it is really about as pretty and pathetic as the real thing, it invariably answers the same purpose. It is understood to be a signal of surrender, a sort of appeal for compassion; and so the rest of this conversation, being of a quite private nature, need not be made public.

The Count was taking us at a brisk pace across the bit of common, and then we rattled into the little clump of red-brick houses which forms the picturesque village of Nettlebed. Now if he had been struck with some recollection of the Black Forest on seeing Nettlebed Wood, imagine his surprise on finding the little inn in the village surmounted by a picture of a white deer with a royal crown on its head, a fair resemblance to the legendary creature that appeared to St. Hubertus, and that figures in so many of the Schwarzwald stories and pictures. However, we were out of Nettlebed before he could properly express his astonishment, and in the vast picture that was now opening out before us there was little that was German.

We stopped on the summit of Nuffield Heath, and found below us, as far as the eye could reach, the great and fertile plain

of Berkshire, with a long and irregular line of hill shutting it in on the south. In this plain of fields as they are called — Wallingford Field, Didcot Field, Long Wittenham Field, and so on — small villages peeped out from among the green woods and pastures, where a faint blue smoke rose up into the sunshine. Here, as Bell began to expound, — for she had been reading "The Scouring of the White Horse" and various other books to which that romantic monograph had directed her, — some great deeds had happened in the olden time. Along that smooth line of hill in the south — now lying blue in the haze of the light — the Romans had cut a road which is still called the Ridgeway or Iccleton Street; and in the villages of the plain, from Pangbourne in the south-east to Shellingford in the north-west, traces of the Roman occupation were frequently found. And then, underneath that blue ridge of hill and down lay Wantage, in which King Alfred was born; and further on the ridge itself becomes Dragon's Hill, where St. George slew the beast that ravaged this fair land, and there, as all men know, is the figure of the White Horse cut on the slope to commemorate the great battle of Ashdown.

"And Ashdown, is that there also?" asked the Lieutenant.

"Well, no," said Bell trying to remember what she had been told; "I think there is some doubt about it. King Alfred, you know, fell back from Reading, when he was beaten, but he stopped somewhere on the hills near —"

"Why not the hill we have just come up?" said the Lieutenant, with a laugh. "It is near Reading, is it not? and there you have Assenton, which is Ashenton, which is Ashdown, which is Ashdown."

"Precisely," says Tita, with a gracious smile. "All you have to do is to change John into Julius, and Smith into Cæsar, and there you are."

"But that is not fair, Tita," said Bell, turning round, and pleading quite seriously. "Assenton is the same as Ashendon, and that is the name of the place where the battle was fought. I think Count von Rosen is quite right."

"Well, if you think so, Bell, that settles it," said my Lady, looking rather pleased than otherwise.

And so we began to descend into this plain of many memories by a steep road that is appropriately called Gangsdown Hill. From thence a succession of undu-

lations carried us into the green breadths of Crowmarsh Field; until, finally, we drove into the village of Bensington, and pulled up at the "Crown" there, where we proposed to have some luncheon.

"This is a village of the dead," said Tita, looking down the main thoroughfare, where not a living soul was to be seen.

But at all events a human being appeared in the yard — not a withered and silent ostler, but a stout, hale, cheerful person, whose white shirt-sleeves and gold chain proclaimed him landlord. With the aid of a small boy, he undertook to put the horses up for an hour or two; and then we went into the inn. Here we found that, as the man in the yard was at once landlord and ostler, his wife inside was landlady, cook and waitress; and in a short space of time she had brought us some excellent chops. Not much time was spent over the meal, for the parlour in which we sat — albeit it was a sort of museum of wonderful curiosities, and was, moreover, enlivened by the presence of a crack-voiced cockatoo — was rather small and dark. Accordingly, while the horses were having their rest, we sauntered out to have a look at Bensington.

It is probably not the dullest little village in England, but it would be hard to find a duller. There was an old shepherd with a crook in his hand and a well-worn smockfrock on his back, who was leaning over the wooden palings in front of a house, and playfully talking to a small boy who stood at an open door. With many old country people it is considered the height of raillery to alarm a boy with stories of the punishment he is about to receive for something, and to visit him with an intimation that all his sins have been found out. This old shepherd, with his withered pippin face, and his humorous grin, and his lazy arms folded on the top of the palings, was evidently enjoying himself vastly.

"A wur a-watchin' o' thee, a wur, and thy vather, he knows, too, and he'll gie thee thy vairin wi' a good tharp stick when he comes hwom. A zah thee this marnin', my lad — thou'lt think nah one wur thear, eh?"

We left this good-natured old gentleman frightening the boy, and went round to the outskirts of the village. Here, at least, we found one explanation of the inordinate silence of Bensington — the children were all at their lessons. The door of the plain little building, which had BRITISH SCHOOL inscribed over the entrance, was open, and from within there issued a low, confused murmur. The Prussian, anxious to see

something of the interior of an English school, walked up to the place; but he had just managed to cast a glance round on the rows of children when the door was politely shut in his face, and he returned, saying —

"I am not an inspector; why need they fear?"

But when, after wandering about the suburban gardens and by-ways for a space, we returned to Bensington, we found that important village in a state of profound excitement. In the main thoroughfare a concourse of five people had assembled — three women and two children — and from the doors of the houses on both sides of the street innumerable faces, certainly not less than a dozen, were gazing forth. It is true that the people did not themselves come out — they seemed rather to shrink from courting publicity; but they were keenly alive to what was going on, and Bensington had become excited.

For there had appeared in the main street a little, dry, odd old man, who was leading a small donkey-cart, and who was evidently rather the worse for liquor. He was a seller of peas. He had summoned the inhabitants to come out and buy the peas, and he was offering them at what we were told were very reasonable terms. But just as the old man was beginning to enjoy the receipt of customs, there drove into the place a sharp, brisk, middle-aged man, with a shiny face, a fine presence, and a ringing voice. This man had a neat cart, a handsome pony, and his name was printed in large letters, so that all could read. He was also a seller of peas. Now, although this rude and ostentatious owner of the pony was selling his produce at fourpence, while the humble proprietor of the donkey sold his at threepence, the women recalled their children and bade them go to the dearer market. There was something in the appearance of the man, in the neatness of his cart, and in the ringing cheerfulness of his voice, which told you he sold good peas. This was the cause of the great perturbation in Bensington; for no sooner did the half-tipsy old man see that his rival was carrying the day before him than he leaned his arms over his donkey's head, and began to make ironical comments on his enemy and on the people of Bensington. He was apparently in the best of spirits. You would have thought it delighted him to see small girls come timidly forward to him, and then be warned away by a cry from their mothers that they were to go to the other cart. Nay, he went the length of advertising his neighbour's

wares. He addressed the assembled multitudes — by this time there were nearly fifteen people visible in Bensington — and told them he wouldn't sell his peas if he was to get a fortune for them.

"Pay your foppence," he said to them, in accents which showed he was not of Bensington born, "there are yer right good peas. It's all along o' my donkey as you'll not take mine, though they're only thripence. I wouldn't sell. I won't sell this day. Take back yer money. I won't sell my peas at a crown apiece — darned if I do!"

And with that he left his donkey and went over to the proprietor of the pony. He was not in a fighting mood — not he. He challenged his rival to run the pony against the donkey, and offered to bet the donkey would be in London a week before the other. The man in the cart took no notice of these sallies. In a brisk, practical, methodical fashion, he was measuring out his peas, and handing them down to the uplifted bowls that surrounded him. Sometimes he grinned in a good-natured way at the facetious remarks of his unfortunate antagonist; but all the same he stuck to his business and drove a thriving trade. How there came to be on that afternoon so many people in Bensington who wished to buy peas must remain a mystery.

"And now," said Bell, as we once more got into the phaeton, "we shall be in Oxford in two hours. Do you think the post-office will be open?"

"Very likely," said Tita, with some surprise; "but do you expect letters already, Bell?"

"You cannot tell," said the young lady, with just a shade of embarrassment, "how soon Kate may send letters after us. And she knows we are to stop a day at Oxford. It will not be too dark to go hunting for the post-office, will it?"

"But you shall not go," said the Lieutenant, giving a shake to the reins, as if in obedience to Bell's wish. "When you have got to the hotel, I will go and get your letters for you."

"Oh no, thank you," said Bell, in rather a hurried and anxious way. "I should prefer much to go for them myself, thank you."

That was all that was said on the subject; and Bell, we noticed, was rather silent for the first few miles of our afternoon drive. The Lieutenant did his best to amuse her, and carried on a lively conversation chiefly by himself. That mention of letters seemed to have left Bell rather serious; and she was obviously not over-

delighted at the prospect of reaching Oxford.

The road from Bensington thither is pleasant enough, but not particularly interesting. For the most part it descends by a series of undulations into the level plain watered by the Isis, the Cherwell, and the Thames. But the mere notion of approaching that famous city, which is consecrated with memories of England's greatest men — statesmen and divines, melancholy philosophers and ill-starred poets — is in itself impressive, and lends to the rather commonplace landscape an air of romance. While as yet the old town lies unseen amid the woods that crowd up to the very edge of the sky, one fancies the bells of the colleges are to be heard, as Pope heard them when he rode, a solitary horseman, over these very hills, and down into the plain, and up to Magdalen Bridge.* We cared little to look at the villages, strung like beads on the winding thread of the road — Shellingford, Dorchester, Nuneham Courtenay, and Sandford — nor did we even turn aside to go down to Iffley and the Thames. It was seven when we drew near Oxford. There were people sauntering out from the town to have their evening walk. When, at last, we stopped to pay toll in front of the old lichen-covered bridge across the Cherwell, the tower of Magdalen College, and the magnificent elms on the other side of the way, had caught a tinge of red from the dusky sunset, and there was a faint reflection of crimson down on the still waters that lay among the rank green meadows. Then we drove on into the High Street, and here, in the gathering dusk, the yellow lamps were beginning to glimmer. Should we pull up at the Angel — that famous hostelry of ancient times, whose name used to be inscribed on so many notable

coaches? "We put up at the Angel Inn," writes Mr. Boswell, "and passed the evening by ourselves in easy and familiar conversation." Alas! the Angel has now been pulled down. Or shall we follow the hero of the Splendid Shilling, who,

"When nightly mists arise,
To Juniper's Magpie or Town Hall repairs?"

They, too, are gone. But as Castor and Pollux, during these moments of doubt and useless reminiscence, are still taking us over the rough stones of the "High," some decision must be come to; and so, at a sudden instigation, Count von Rosen pulls up in front of the Mitre, which is an appropriate sign for the High Street of Oxford, and betokens age and respectability.

The stables of the Mitre are clean, well-ventilated, and well-managed — indeed, no better stables could have been found for putting up the horses for their next day's rest. When we had seen to their comfort, we returned to the inn, and found that my Lady and Bell had not only had all the luggage conveyed to our respective rooms, but had ordered dinner, changed their attire, and were waiting for us in the square, old-fashioned, low-roofed coffee-room which looks out into the High Street. A tall waiter was laying the cloth for us; the lights were lit all round the wall; our only companions were two elderly gentlemen who sat in a remote corner, and gave themselves up to politics; and Bell, having resolved to postpone her inquiry about letters until next morning — in obedience to the very urgent entreaties of the Lieutenant — seemed all the more cheerful for that resolution.

But if our two friends by the fireplace could not overhear our talk, we could overhear theirs; and all the time we sat at dinner, we were receiving a vast amount of enlightenment about the condition of the country. The chief spokesman was a short, stout person, with a fresh, healthy, energetic face, keen grey eyes, bushy grey whiskers, a bald head, and a black satin waistcoat; his companion a taller and thinner man, with straight black hair, sallow cheeks, and melancholy dark eyes: and the former, in a somewhat pompous manner, was demonstrating the blindness of ordinary politicians to the wrath that was to come. Lord Palmerston saw it, he said. There was no statesman ever like Lord Palmerston — there would never be his like again. For was the North not bound to fight the South in every country? And what should we do if the men

* "Nothing could have more of that melancholy which once used to please me, than my last day's journey; for after having passed through my favourite woods in the forest, with a thousand reveries of past pleasures, I rid over hanging hills, whose tops were edged with groves, and whose feet watered with winding rivers, listening to the falls of cataracts below, and the murmuring of the winds above; the gloomy verdure of Stonor succeeded to these, and then the shades of evening overtook me. The moon rose in the clearest sky I ever saw, by whose solemn light I paced on slowly, without company, or any interruption to the range of my thoughts. About a mile before I reached Oxford, all the bells tolled in different notes; the clocks of every college answered one another and sounded forth (some in deeper, some in a softer tone) that it was eleven at night. All this was no ill preparation to the life I have led since among those old walls, venerable galleries, stone porticoes, studious walks, and solitary scenes of the University." — *Pope to Mrs. Martha Blount*. [Stonor Park lies about two miles to the right of Bix turnpike.]

of the great manufacturing towns were to come down on us? There were two Englands in this island — and the Westminster Houses knew nothing of the rival camps that were being formed. And did not the North always beat the South? Did not Rome beat Carthage? and the Huns the Romans? and the Northern States the Southern States? and Prussia Austria? and Germany France? And when the big-limbed and determined men of Birmingham, Leeds, Manchester, Preston, Newcastle, and such towns, rose to sweep aside the last feudal institutions of this country, of what avail would be a protest on the part of the feeble and self-indulgent South?

"This kingdom, Sir," said the gentleman, with the satin waistcoat and gold seals, in such lofty tones that Count von Rosen scarcely minded his dinner, — "this kingdom, Sir, is more divided at this moment than it was during the Wars of the Roses. It is split into hostile factions; and which is the more patriotic? Neither. There is no patriotism left — only the selfishness of class. We care no more for the country as a country. We are cosmopolitan. The scepticism of the first French Revolution has poisoned our big towns. We tolerate a monarchy as a harmless toy. We tolerate an endowed priesthood because we think they cannot make our peasantry more ignorant than they are. We allow pauperism to increase and eat into the heart of the State, because we think it no business of ours to interfere. We see our lowest classes growing up to starve or steal, in ignorance and dirt; our middle classes scrambling for wealth to get out of the state they were born in; our upper classes given over to luxury and debauchery — patriotism gone — continental nations laughing at us — our army a mere handful of men with incompetent officers — our navy made the subject of destructive experiments by interested cliques — our Government ready to seize on the most revolutionary schemes to get together a majority and remain in power — selfishness, incompetence, indifference become paramount — it is horrible, Sir, it is *Orrible*."

In his anxiety to be emphatic, he left out that one "h;" it was his only slip. Our Lieutenant turned to Tita, and said:

"I have met many English people in Germany who have spoken to me like that. They do seem to have a pride in criticizing themselves and their country. Is it because they feel they are so strong, and so rich, and so good, that they can af-

ford to dispraise themselves? Is it because they feel themselves so very safe in this island that they think little of patriotism? But I have observed this thing — that when it is a foreigner who begins to say such things of England, your countryman he instantly changes his tone. He may say himself bad things of his country; but he will not allow any one else. That is very good — very right. But I would rather have a Frenchman who is very vain of his country, and says so at every moment, than an Englishman who is very vain and pretends to disparage it. The Frenchman is more honest."

"But there are many Englishmen who think England wants great improvements," said Tita.

"Improvements! Yes. But it is another thing you hear so many Englishmen say, that their country is all wrong — 'going to the dogs' is what you say for that. Well, they do not believe it true — it is impossible to be true; and they do not look well with us foreigners when they say so. For myself I like to see a man proud of his country, whatever country it is; and if my country were England, do not you think I should be proud of her great history, and her great men, and her powers of filling the world with colonies, and — what I think most of all — her courage in making the country free to every man, and protecting opinions that she herself does not believe, because it is right? When my countrymen hear Englishmen talk like that, they cannot understand."

You should have seen Bell's face — the pride and the gratitude that were in her eyes, while she did not speak.

"You would not have us go about praising ourselves for doing right?" said Tita.

"No," he said, "but you ought not to go about professing yourselves to be less satisfied with your country than you are."

Before breaking up for the night, we came to a reckoning about our progress, and probable line of route. Fifty-eight miles — that was the exact distance, by straight road, we had got on our way to Scotland at the end of the third day.

"And to-morrow," said Tita, as she finished giving the Lieutenant his first lesson in bezique, "counts for nothing, as we remain here. Fifty-eight miles in three days looks rather small, does it not? But I suppose we shall get there in course of time."

"Yes," said Bell, gently, as she put the

markers straight, "in Pollux' course of time."

My Lady rose, and in her severest tones ordered the girl to bed.

[*Note by Queen Titania, written at Oxford, the day after our arrival there.* — "If these jottings of our journey come to be published, I beg to say that, so far as I appear in them, they are a little unfair. I hope I am not so very terrible a person as all that comes too. I have noticed in some other families that a man of *obstinate will* and of *uncertain temper* likes nothing so much as to pretend to his friends that he suffers dreadfully from the tyranny of his wife. It is merely self-complacency. He knows no one dares thwart him; and so he thinks it rather humorous to give himself the air of being much injured, and of being very good-natured. I dare say, however, most people who look at these memoranda will be able to decide whether the trifling misunderstandings—which have been much exaggerated and made to look *serious*—were owing to me. But as for Bell, I do not think it right to joke about her position at all. She does her best to keep up her spirits—and she is a brave, good girl, who likes to be cheerful if only for the sake of those around her; but this affair of Arthur Ashburton is causing her *deep anxiety* and a good deal of vexation. Why she should have some vague impression that she has treated him badly, I cannot see; for the very reverse is the case. But surely it is unfair to make this *lover's quarrel* the pretext for dragging Bell into a wild romance, which the writer of the foregoing pages seems bent on doing. Indeed, with regard to this subject, I cannot do better than repeat a conversation which, with *characteristic ingenuity*, he has entirely omitted. He said to me, while we were wandering about Bensington—and Bell had strolled on with Count von Rosen—

"After all, our phaeton is not a microcosm. We have not the complete elements for a romance. We have no villain with us."

"You flatter yourself," I remarked; which did not seem to please him, but he pretended not to hear.

"There will be no dark background to our adventures—no crime, secrecy, plotting, or malicious thwarting of Bell's happiness. It will be like a magic-lantern slide with all the figures painted in rose-colour."

"What do you mean by Bell's happiness?" I asked.

"Her marriage with the Lieutenant, and there is no villain to oppose it. Even if we had a villain, there is no room for him: the phaeton only holds four comfortably."

"Really this was too much. I could scarcely control my *impatience* with such folly. I have said before that the girl does not wish to marry any one; but if there were any thought of marriage in her mind, surely her anxiety about that letter points in a *different way*. Of course I was immediately taunted with scheming to throw

Bell and Count von Rosen together during our drive. I admit that I did so, and mean to do so. We ought not to expect young folks to be always delighted with the society of their elders. It is only natural that these two young people should become companions; but what of that? And as to the speech about a villain, who ever saw one? Out of a novel or a play, I never saw a villain, and I don't know anybody who ever did. It seems to me that there is a good deal of self-satisfaction in the notion that we four are all so *angelic* that it wants some disagreeable person to throw us into relief. Are we all painted in rose-colour? Looking back over these pages, I do not think so; but I am not surprised—considering *who had the wielding of the brush*. And yet I think we have so far enjoyed ourselves very well, considering that I am supposed to be very hard to please and very quarrelsome. Perhaps none of us are so amiable as we ought to be; and yet we manage to put up with one another somehow. In the meantime, I am grieved to see Bell, without the intervention of any villain whatever, undergoing great anxiety; and I wish the girl had sufficient courage to sit down at once and write to Arthur Ashburton and absolutely forbid him to do anything so foolish as seek an interview with her. If he should do so, it is impossible to say what may come of it, for Bell has a good deal of pride with all her gentleness. — T."]

CHAPTER VII.

ATRA CURA.

"O gentle wind that bloweth south,
To where my love repaireth,
Convey a kiss to his dear mouth,
And tell me how he fareth!"

"My dear, you are unphilosophical. Why should you rebuke Bell for occasionally using one of those quaint American phrases, which have wandered into this country. I can remember a young person who had a great trick of quoting Italian—especially in moments of tenderness—but that was a long time ago—and perhaps she has forgotten—"

"It is shameful of you," says Queen Titania, hastily, "to encourage Bell in that way. She would never do anything of the kind but for you. And you know very well that quoting a foreign language is quite a different thing from using those stupid Americanisms which are only fit for negro-concerts."

"My dear, you are unphilosophical. When America started in business on her own account, she forgot to furnish herself with an independent language; but ever since she has been working hard to supply the want. By and by you will find an American language—sharp, concise, expressive—built on the diffuse and heavy

foundations of our own English. Why should not Bell use those tentative phrases which convey so much in so few syllables? Why call it slang? What is slang but an effort at conciseness?

Tita looked puzzled, vexed, and desperate; and inadvertently turned to Count Von Rosen, who was handing the sugar-basin to Bell. He seemed to understand the appeal, for he immediately said—

"Oh, but you do know, that is not the objection. I do not think Mademoiselle talks in that way, or should be criticized about it by any one; but the wrong that is done by introducing the slang words is, that it destroys the history of a language. It perverts the true meaning of roots—it takes away the poetry of derivations—it confuses the student."

"And who thought of students when the various objects in life were christened? And whence came the roots? And is not language always an experiment, producing fresh results as people find it convenient, and leaving students to frame laws as they like? And why are we to give up succinct words or phrases because the dictionaries of the last generation consecrated them to a particular use? My dear children, the process of inventing language goes on from year to year, changing, modifying, supplying, and building up new islands out of the common sand and the sea. What to-day is slang, to-morrow is language, if one may be permitted to parody Feuerbach. And I say that Bell, having an accurate ear for fit sounds, shall use such words as she likes; and if she can invent epithets of her own—"

"But, please, I don't wish to do anything of the kind," says Bell, looking quite shamefaced.

That is just the way of those women: interfere to help them in a difficulty, and they straightway fly over to the common enemy, especially if he happens to represent a social majority.

I began to perceive about this stage of our journey that a large number of small articles over which Bell had charge were now never missing. Whenever she wanted a map, or a guide-book, or any one of the things which had been specially entrusted to her, it was forthcoming directly. Nay, she never had, like Tita, to look for a hat, or a shawl, or a scarf, or a packet of bezique-cards. I also began to notice that when she missed one of those things, she somehow inadvertently turned to our Lieutenant, who was quite sure to know where it was, and to hand it to her on the instant. The consequence on this morn-

ing was, that when we all came down prepared to go out for an exploration of Oxford, we found Bell at the window of the coffee-room, already dressed, and looking placidly out into the High-street, where the sunlight was shining down on the top of the old-fashioned houses opposite, and on the brand-new bank, which, as a compliment to the prevailing style of the city, has been built in very distinguished Gothic.

It was proposed that we should first go down and have a look at Christ Church.

"And that will just take us past the post-office," said Bell.

"Why, how do you know that? Have you been out?" asked Tita.

"No," replied Bell, simply. "But Count von Rosen told me where it was."

"Oh, I have been all over the town this morning," said the Lieutenant, carelessly. "It is the finest town that I have yet seen—a sort of Gothic Munich, but old, very old—not new and white like Munich, where the streets are asking you to look at their fine buildings. And I have been down to the river—that is very fine, too—even the appearance of the old colleges and buildings from the meadows—that is wonderful."

"Have you made any other discoveries this morning?" said Queen Tita, with a gracious smile.

"Yes," said the young man, lightly. "I have discovered that the handsome young waiter who gave us our breakfast—that he has been a rider in a circus, which I did suspect myself, from his manner and attitudes—and also an actor. He is a very fine man, but not much spirit. I was asking him this morning why he is not a soldier. He despises that, because you pay a shilling a day. That is a pity your soldiers are not—what shall I say?—respectable; that your best young men do not like to go with them, and become under-officers. But I do not know he is good stuff for a soldier—he smiles too much, and makes himself pleasant. Perhaps that is only because he is a waiter."

"Have you made any other acquaintances this morning?" says Tita, with a friendly amusement in her eyes.

"No, no one—except the old gentleman who did talk politics last night. He is gone away by the train to Birmingham."

"Pray when do you get up in the morning?"

"I did not look that; but there was no one in the streets when I went out, as there would be in a German town; and even now there is a great dulness. I have in-

quired about the students—they are all gone home—it is a vacation. And a young lady in a book-shop told me that there is no life in the town when the students are gone—that all places close early—that even the milliners' shops are closed just now at half-past seven, when they are open till nine when the students are here."

"And what," says my Lady, with a look of innocent wonder, "what have the students to do with milliners' shops that such places should be kept open on their account?"

No one could offer a sufficient solution of this problem; and so we left the coffee-room and plunged into the glare of the High-street.

It would be useless to attempt here any detailed account of that day's long and pleasant rambling through Oxford. To anyone who knows the appearance and the associations of the grand old city—who is familiar with the various mass of crumbling colleges, and quiet cloisters, and grassy quadrangles—who has wandered along the quaint clean streets that look strangely staid and orthodox, and are as old as the splendid elms that break in continually on the lines and curves of the prevailing architecture—to one who has even seen the city at a distance, with its many spires and turrets set amid fair green meadows, and girt about with the silver windings of streams—any such brief recapitulation would be inexpressibly bald and useless; while he to whom Oxford is unknown can learn nothing of its beauties and impressions without going there. Our party absolutely refused to go sight-seeing, and were quite content to accept the antiquarian researches of the guide-books on credit. It was enough for us to ramble leisurely through the old courts and squares and alleys, where the shadows lay cool under the gloomy walls, or under avenues of magnificent elms.

But first of all we paid a more formal visit to Christ Church, and on our way thither the Lieutenant stopped Bell at the post-office. She begged leave to ask for letters herself; and presently reappeared with two in her hand.

"These are from the boys," she said to my Lady; "there is one for you, and one for papa."

"You have had no letter?" said Tita.

"No," answered Bell, somewhat gravely as I fancied; and for some time after she seemed rather thoughtful and anxious.

As we paused underneath the archway in front of the sunlit quadrangle of Christ Church, the letters from the boys were

read aloud. This is the first one, which shows the pains a boy will take to write properly to his mother, especially when he can lay his hands on some convenient guide-book to correspondence.

"COWLEY HOUSE, TWICKENHAM.

"MY DEAR MAMMA,—I take up my pen to let you know that I am quite well, and hope that this will find you in the enjoyment of good health. My studies are advancing favably, and I hope I shall continue to please my teacher and my dear parents, who have been so kind to me, and are anxious for my welfare. I look forward with much delight to the approaching holidays, and I am, my dear mamma,

"Your affectionate son,

"JACK.

"P.S. He does gallop so; and he eats beans"

Master Tom, on the other hand, showed that the fear of his mother was not on him when he sat down to write. Both of them had evidently just been impressed with the pony's galloping; for the second letter was as follows:—

"COWLEY HOUSE, TWICKENHAM.

"MY DEAR PAPA,—He does gallop so, you can't think [this phrase, as improper, was hastily scored through] and I took him down to the river and the boys were very impertinent and I rode him down to the river and they had to run away from their clothes and he went into the river a good bit and was not afraid but you know he cannot swim yet as he is very young Harry French says and Doctor Ashburton went with us yesterday my dear papa to the ferry and Dick was taken over in the ferry and we all went threw the trees by Ham House and up to Ham Common and back by Richmond bridge and Dick was not a bit Tired. But what do you think my dear papa Doctor Ashburton says all our own money won't pay for his hay and corn and he will starve if you do not send some please my dear papa to send some at once because if he starves once he will not get right again and the Ostler says he is very greedy but he his a very good pony and very intelligent dear papa Doctor Ashburton has bawt us each a riding-whip but I never hit him over the ears which the Ostler says is dangerous and you must tell the German gentleman that Jack and I are very much obled [scored out] obledg [also scored out] obbligated to him, and send our love to him and to dear Auntie Bell and to dear Mamma and I am my dear papa your affexnate son.

"TOM."

"It is really disgraceful," said the mother of the scamps, "the shocking way those boys spell. Really Doctor Ashburton must be written to. At their age, and with such letters as these—it is shameful."

"I think they are very clever boys," said

Bell, "and I hope you won't impose extra lessons on them just as they have got a pony."

"They ought not to have had the pony until they had given a better account of themselves at school," said my Lady, severely; to which Bell only replied by saying, in a pensive manner, that she wished she was a boy of nine years of age, just become possessed of a pony, and living in the country.

We spent a long time in Christ Church, more especially in the magnificent Hall, where the historical portraits greatly interested Bell. She entered into surmises as to the sensations which must have been felt by the poets and courtiers of Queen Elizabeth's time when they had to pay compliments to the thin-faced, red-haired woman who is here represented in her royal satins and pearls; and wondered whether, after they had celebrated her as the Queen of Beauty, they afterwards reconciled these flatteries to their conscience by looking on them as sarcasm. But whereas Bell's criticism of the picture was quite gentle and unprejudiced, there was a good deal more of acerbity in the tone in which Queen Tita drew near to speak of Holbein's Henry VIII. My firm belief is, that the mother of those two boys at Twickenham, if she only had the courage of her opinions—and dared to reveal those secret sentiments which now find expression in decorating our bedrooms with missal-like texts, and in the use of Ritualistic phrases to describe ordinary portions of the service and ordinary days of the year—would really be discovered to be—but let that pass. What harm Henry VIII. had done her, I could not make out. Anyone may perceive that that monarch has not the look of an ascetic; that the contour of his face and the setting of his eyes are not particularly pleasing, that he could not easily be mistaken for Ignatius Loyola. But why any woman of these present days, who subscribes to Mudie's, watches the costumes of the Princess of Wales, and thinks that Dr. Pusey has been ungenerously treated, should regard a portrait of Henry VIII. as though he had done her an injury only the week before last, it is not easy to discover. Bell, on the other hand, was discoursing to the Lieutenant about the various workmanship of the pictures, and giving him a vast amount of information about technical matters, in which he appeared to take a deep interest.

"But did you ever paint upon panel yourself, mademoiselle?" he asked.

"Oh, yes," said Bell, "I was at one time very fond of it. But I never made it so useful as a countryman of mine once suggested it might be. He was a Cumberland farmer who had come down to our house at Ambleside, and when he saw me painting on a piece of wood, he looked at it with great curiosity.

"'Heh, lass,' he said, 'thou's pentin a fine pictur there, and on wood, too. It's for the yell-house?'"

"'No,' I said, explaining that I was painting for my own pleasure, and that it was not a public-house sign.

"'To please thyself, heh? And when thou's done wi' the pictur, thou canst plane it off the wood, and begin another—that's thy meanin', is't?'"

"I was very angry with him, for I was only about fifteen then, and I wanted to send my picture to a London exhibition."

"Why, I did see it down at Leatherhead!" said Von Rosen. "Was not that the picture, on panel, near the window of the dining-room?"

"Come, come!" said Titania to the girl, who could not quite conceal the pleasure she felt on hearing that the Count had noticed this juvenile effort of hers; "come along, and let us see the library before we go into the open air again."

In the library too, were more portraits and pictures, which these young people were much interested in. We found it impossible to drag them along. They would loiter in some corner or other, and then, when we forsook our civil attendant and went back for them, we found them deeply engrossed in some obscure portrait or buried in a huge parchment-bound folio which the Lieutenant had taken out and opened. Bell was a fairly well-informed young woman, as times go, and knew quite as much of French literature as was good for her; but it certainly puzzled Tita and myself to discover what possible interest she could have in gazing upon the large pages of the Encyclopædia, while the Lieutenant talked to her about D'Alembert. Nor could it be possible that a young lady of her years and pursuits had imbibed so much reverence for original editions as to stand entranced before this or that well-known author whose earliest offering had been laid hold of by her companion. They both seemed unwilling to leave this library; but Von Rosen explained the matter when he came out—saying that he had never felt so keenly the proverbial impulses of an Uhlan as when he found himself with these valuable old books in his hand, and only one

attendant near. I congratulated the authorities of Christ Church on what they had escaped.

Of course we went down to the river some little time after lunch; and had a look from Folly Bridge on the various oddly-assorted crews that had invaded the sacred waters of the Isis in the absence of the University men. When the Lieutenant proposed that we, too, should get a boat and make a voyage down between the green meadows, it almost seemed as if we were venturing into a man's house in the absence of the owner; but when Bell very prettily and urgently added her supplications, Tita professed herself not unwilling to give the young folks an airing on the stream. There were plenty of signs that it was vacation-time besides the appearance of the nondescript oarsmen. There was a great show of painting and scraping and gilding visible among that long line of mighty barges that lay under the shadow of the elms, moored to tall white poles that sent a line of silver down into the glassy and troubled water beneath. Barges in blue, and barges in cream and gold, barges with splendid prows and Gorgon figure-heads, barges with steam-paddles and light awnings over the upper deck, barges with that deck supported by pointed arches, as if a bit of an old cloister had been carried down to decorate a pleasure-boat — all these resounded to the blows of hammers, and were being made bright with many colours. The University barge itself had been dragged out of the water, and was also undergoing the same process; although the cynical person who had put the cushions in our boat had just remarked, with something of a shrug —

"I hope the mahn as has got the job 'll get paid for it, for the 'Varsity Crew are up to their necks in debt, that's what they are!"

When once we had got away from Christ Church meadows, there were fewer obstructions in our course; but whether it was that the currents of the river defied the skill of our coxswain, or whether it was that the Lieutenant and Bell, sitting together in the stern, were too much occupied in pointing out to each other the beauties of the scenery, we found ourselves with a fatal frequency running into the bank, with the prow of the boat hissing through the rushes and flags. Nevertheless, we managed to get up to Ilfey, and there, having moored the boat, we proceeded to land and walk up to the old church on the brow of the hill.

"It's that they calls eerly English," said the old lady who showed us over the ancient building. She was not a talkative person; she was accustomed to get over the necessary information rapidly; and then spent the interval in looking strangely at the tall Lieutenant and his brown beard. She did not betray any emotion when a small gratuity was given her. She had not even said "Thank you" when Von Rosen, on calling for the keys of the church had found the gate of her garden unopened and had laboured fully ten minutes in hammering a rusty piece of iron into the wooden post. Perhaps she thought it was Bell who had driven down the gate; but at all events she expressed no sense of gratitude for its restoration.

Near an old yew-tree there was a small grave — new-made and green with grass — on which some careful hand had placed a cross composed exclusively of red and white roses. This new grave, with these fresh evidences of love and kindly remembrance on it, looked strange in the rude old churchyard, where stones of unknown age and obliterated names lay tumbled about or stood awry among the weeds and grass. Yet this very disorder and decay, as Tita said gently, seemed to her so much more pleasant than the cold and sharp precision of the iron crosses in French and German graveyards, with their grim, fantastic decorations and wreaths of immortelles. She stood looking at this new grave and its pretty cross of roses, and at the green and weather-worn stones, and at the black old yew-tree, for some little time; until Bell — who knows of something that happened when Tita was but a girl, and her brother scarcely more than a child — drew her gently away from us, towards the gate of the churchyard.

"Yes," said the Lieutenant, not noticing, but turning to the only listener remaining; "that is true. I think your English churchyards in the country are very beautiful — very picturesque — very pathetic indeed. But what you have not in this country are the beautiful songs about death that we have — not religious hymns, or anything like that — but small, little poems that the country people know and repeat to their children. Do you know that one that says —

Hier schlummet das Herz,
Befreit von betäubenden Sorgen;
Es weckt uns kein Morgen
Zu grösserem Schmerz.

And it ends this way —

Was weinest denn du?
Ich trage nun muthig mein Leiden,
Und rufe mit Freuden,
Im Grabe ist Ruh'!

There was one of my comrades in the war—he was from my native place, but not in my regiment—he was a very good fellow—and when he was in the camp before Metz, his companion was killed. Well, he buried him separate from the others, and went about till he got somewhere a gravestone, and he began to cut out, just with the end of a bayonet, these two verses on the stone. It took him many weeks to do it; and I did hear from one of my friends in the regiment that two days after he had put up the stone, he was himself killed. Oh, it is very hard to have your companion killed beside you, and he is away from his friends, and when you go back home without him—they look at you as if you had no right to be alive and their son dead. That is very hard—I knew it in Sixty-six, when I went back to Berlin, and had to go to see old Madame von Hebel. I do hope never to have that again."

Is there a prettier bit of quiet river-scenery in the world than that around Ilfley Mill? Or was it merely the glamour of the white day that rendered the place so lovely, and made us linger in the open stream to look at the mill and its surroundings? As I write, there lies before me a pencil sketch of Bell's lightly dashed here and there with water-colour, and the whole scene is recalled. There is the dilapidated old stone building, with its red tiles, its crumbling plaster, its wooden projections, and small windows, half-hidden amid foliage. Further down the river there are clumps of rounded elms visible; but here around the mill the trees are chiefly poplars, of magnificent height, that stretch up lightly and gracefully into a quiet yellow sky, and throw gigantic lines of reflection down into the still water. Then out from the mill a small island runs into the stream; the wood-work of the sluice-gates bridges the interval; there is a red cow amid the green leafage of the island, and here again are some splendid poplars, rising singly up from the river-side. Then beyond there is another house, then a wooden bridge, a low line of trees; and the river, in a sharp curve, glimmers in the light and loses itself behind low-lying meadows and a marginal growth of willow and flag.

For very shame's sake, the big Lieutenant was forced to offer to take Tita's

oar, as we once more proceeded on our voyage; but she definitely refused to endanger our lives by any such experiment. A similar offer on the part of Bell met with a similar fate. Indeed, when this little woman had once made up her mind to do a certain thing, the reserve of physical and intellectual vigour that lies within the slight frame and behind a smooth and gentle face, shows itself to be extraordinary. Place before her some arithmetical conundrum that she must solve in order to question the boys, or give her an oar and engage her to pull for a certain number of miles, and the amount of patient perseverance and unobtrusive energy she will reveal will astonish most people. In the meantime, her task was easy. We were going with the stream. And so we glided on between the green banks, under the railway-bridge, past the village of Kennington, past Rose Isle, with its bowers, and tables, and beer-glasses, and lounging young fellows in white trousers and blue jackets, and so on until we got up to Sandford Lock. Here, also, we fastened the boat to the bank, close by the mill, and went ashore for half an hour's stroll. But while Tita made direct, as she generally does on entering a new village, for the church, the Lieutenant went off in quest of beer; and when we came back to the boat, he had a wonderful story to tell us. He had made friends with some inn-keeper, and had imbibed from him a legend which was a curious mixture of fact and inference and blunder. Von Rosen had doubtless mistaken much of the Oxfordshire *patois*; for how could any man make a reasonable narrative out of the following?—

"And he told me it was a farmer's house in the village—the village of Sandford, I suppose—and while they took it down to repair it, they were lifting up the floors, and many strange things were there. And he said among the nonsense and useless rubbish they were finding there, was a hat; and the man brought the hat down to him; and he saw it was a chevalier's hat—"

"A cavalier's hat," suggested Bell; and the Lieutenant assented.

"Then the farmer went up to the house, and he found some hidden letters, and one was to Ettrick—to some soldier who was then on a campaign at the river Ettrick in the north. And they found that it was in this very house that King Charles the First did cut off his beard and moustache—I suppose when he was flying from the Parliamentary army; but I am forgetting all about that history now, and

the inn-keeper was not sure about the battle. Well, then, the news was sent to London; and a gentleman came down who is the only surviving descender — descendant — of King Charles, and he took away the hat to London, and you will find it in the British Museum. It is a very curious story, and I would have come after you, and showed you the houses; but I suppose it is a new house now, and nothing to look at. But do you know when the King was in this neighbourhood in escaping?"

Here was a poser for the women.

"I don't remember," says Tita, looking very profound, "to have seen anything about Oxford in Lord Clarendon's narrative of the King's escape after the battle of Worcester."

"Mamma!" said Bell, in accents of reproach, "that was Charles the Second."

"To be sure it was" returned Tita, with a gesture of impatience; "and he couldn't have come this way, for he went to Bristol. But Charles the First was continually at Oxford — he summoned the Parliament to meet him here —"

"And shaved off his beard to curry favour with them," it is suggested.

"You needn't laugh. Of course, when he was finally defeated he fled from Oxford, and very probably disguised himself."

"And when did he fly, and whither?"

"To Scotland," said Bell triumphantly, "and after the battle of Naseby."

"Good girl. And where is Naseby?"

"Well, if he fled north-east from the Parliamentary army, Naseby must be in the south-west; and so I suppose it is somewhere down about Gloucester."

"Herr Professor Oswald, where is Naseby?"

"I do not know," says the Lieutenant; "but I think it is more in the north, and not far from the country of your great man Hampden. But he was killed before then, I think."

"And pray," says Queen Tita, taking her seat, and putting her oar into the rowlock, "will you please tell me what you think of those men — of Cromwell and Hampden and those — and what your historians say of them in Germany?"

"Why, they say all kinds of things about them," said the Lieutenant, lightly — not knowing that he was being questioned as a representative of the feudal aristocracy of a country in which the divine right of kings is supposed to flourish — "just as your historians do here. But we know very well that England has got much of her liberty through that fight

with the king, and yet you have been able to keep a balance and not let the lowest classes run riot and destroy your freedom. They were ambitious? Yes. If a man is in politics, does not he fight hard to make his side win? If he is a soldier, does not he like to be victorious? And if I could be King of England, do you not think I should like that very well, and try hard for it? But if these men had their own ambitions, and wanted to get fame and honour, I am sure they had much of righteousness and belief, and would not have fought in that way and overturned the king if they believed that was an injury to their country or to their religion. And besides what could this man or that man have done except he had a great enthusiasm of the nation behind him — if he did not represent a principle? But I have no right to speak of such things as if I were telling you of our German historians. That is only my guess — and I have read not much about it. But you must not suppose that because we in Germany have not the same political system that you have, that we cannot tell the value of yours, and the good it has done to the character of your people. Our German historians are many of them professors in universities; and they spend their lives in finding out the truth of such things; and do you think they care what may be the opinion of their own Government about it? Oh, no. They are very independent in the universities — much too independent, I think. It is very pleasant when you are a very young man, to get into a university, and think yourself very wise, and go to extremes about politics, and say hard things of your own country; but when you come out into the world, and see how you have to keep your country from enemies that are not separated by the sea from you (as you are here in England), you see how bad are these principles among young men, who do not like to be obedient, and always want to hurry on new systems of government before such things are possible. But you do not see much of those wild opinions when a war comes, and the young men are marched together to save their country. Then they forget all the democratic notions of this kind — it is their heart that speaks, and it is on fire — and not one is ashamed to be patriotic, though he may have laughed at it a week before."

"It must be very hard," said Bell, looking away at the river, "to leave your home and go into a foreign country, and know that you may never return."

"Oh, no; not much," said the Lieutenant; "for all your friends go with you. And you are not always in danger—you have much entertainment at times, especially when some fight is over, and all your friends meet again to have a supper in the tent, and some one has got a bottle of cognac, and some one else has got a letter from home, full of gossip about people you know very well. And there is much fun, too, in riding over the country, and trying to find food and quarters for yourself and your horse. We had many good parties in the deserted farmhouses, and sometimes we caught a hen or a duck that the people had neglected to take, and then we kindled a big fire, and killed him, and fixed him on a lance, and roasted him well, feathers and all. Then we were very lucky—to have a fire, and good meat, and a roof to keep off the rain. But it was more dangerous in a house—for it was difficult to keep from sleeping after you had got warm and had eaten and drunk perhaps a little too much wine—and there were many people about ready to fire at you. But these are not heroic stories of a campaign, are they, Mademoiselle?"

Nevertheless, Mademoiselle seemed sufficiently interested; and as Tita and I pulled evenly back to Ifley and Oxford, she continually brought the Lieutenant back to this subject by a series of questions. This modern maiden was as anxious to hear of the amusements of patrols, and the hair-breadth escapes of dare-devil sub-lieutenants, as was Desdemona to listen to her lover's stories of battles, sieges, fortunes, and moving accidents by flood and field.

That was a pleasant pull back to Oxford, in the quiet of the summer afternoon, with the yellow light lying warmly over the level meadows and the woods. There were more people now along the banks of the river—come out for the most part in couples to wander along the pathway between the stream and the fields. Many of them had a good look at Bell; and the Radley boys, as they sent their long boats spinning down the river towards Sandford, were apparently much struck. Bell, unconscious of the innocent admiration of those poor boys, was attending much more to the talk of our Uhlans than to her tiller-ropes. As for him—but what man would not have looked contented under these conditions—to be strong, healthy, handsome, and only twenty-five; to have comfortable means and an assured future; to have come out of a long and dangerous campaign with

honour and sound limbs; to be on a careless holiday through the most beautiful country, take it for all in all, in the world; and to be lying lazily in a boat on a summer's evening, on a pretty English river, with a pretty English girl showing her friendly interest and attention in every glance of her blue eyes?

You should have seen how naturally these two fell behind us, and formed a couple by themselves, when we had left the boat and were returning to our inn. But as we walked up to Carfax, Bell separated herself from us for a moment and went into the post-office. She was a considerable time there. When she came out she was folding up a letter which she had been reading.

"You have got your letter at last," said Tita.

"Yes," said Bell, gravely, but showing no particular gladness or disappointment.

At dinner she was rather reserved; and so, curiously enough, was the Lieutenant. After dinner, when we were allowed half an hour by ourselves for a cigar, he suddenly said—

"Why do you not interfere with that stupid young fellow?"

"Who?" I asked, in blank amazement.

"Why, that young fellow at Twickenham—it is quite monstrous, his impertinence. If I were the guardian of such a girl, I would kick him—I would throw him into the river and cool him there."

"What in all the world do you mean?"

"Why you must know. The letter that Miss Bell did ask for more than once, it is from him; and now when it comes, it is angry, it is impertinent—she is nearly crying all the time at dinner. It is for some one to interfere, and save her from this insult—this persecution——"

"Don't bite your cigar to pieces, but tell me, if you please, how you happen to know what was in the letter."

"She told me," said the Lieutenant, with a stare.

"When?"

"Just before you came down to dinner. It is no business of mine—no; but when I see her vexed and disturbed, I asked her to tell me why. And then she said she had got this letter, which was a very cruel one to send. Oh, there is no mystery—none. I suppose he has a right to marry her—very well; but he is not married yet, and he must not be allowed to do this."

"Bell at least might have told me of it, or have confided in Tita——"

"Oh, she is telling her now, I dare say. And she will tell you too, when there are

not all of us present. It is no secret, or she would not have told me. Indeed, I think she was sorry about that; but she was very much vexed, and I asked her so plain, that she answered me. And that is much better to have confidence between people, instead of keeping all such vexations to yourself. Then I ask her why he is angry? and she says only because she has gone away. Pfu! I have never heard such nonsense!"

"My dear Oswald," I say to him, "don't you interfere between two young people who have fallen out, or you will suffer. Unless, indeed —"

"Unless what?"

"Unless they happen to be angels."

"Do you know this—that he is coming to see her?"

"Well, the phaeton can hold five at a pinch. Why should not we have an addition to our party?"

"Very good. I do not care. But if he is rude to her, he will not be very long in the phaeton."

"Why, you stupid boy, you take those lovers' quarrels *au grand sérieux*. Do you think he has been positively rude to her? Nothing of the kind. He has been too well brought up for that, although he has a peevish temper. He might be with us all through the journey —"

"*Jott bewahre!*" exclaimed the Count, with a kick at a cork that was lying on the carpet.

"— And these two might be at daggers drawn and you would see nothing of it. Indeed, young people never get extremely courteous to each other until they quarrel and stand on their dignity. Now, if you had seen that letter, you would have found it respectful and formal in the highest degree — perhaps a trifle sarcastic here and there, for the lad unhappily thinks he has a gift that way — but you would find no rhetorical indignation or invective."

The Count threw his cigar into the grate.

"They will be waiting for us," he said; "let us go."

We found Tita with the bezique-cards spread out before her. Bell looked up with rather a frightened air, apparently conscious that the Lieutenant was likely to have spoken about what she had confided to him at the impulse of a momentary vexation. However, we sat down.

The game was an open and palpable burlesque. Was Ferdinand very intent on giving checkmate when he played chess with Miranda in the cave; or was he not much more bent upon placing his king in extreme danger and offering his queen so

that she had to be taken? The audacious manner in which this young Lieutenant played his cards so as to suit Bell was apparent to every one, though no one dared speak of it, and Bell only blushed sometimes. When she timidly put forth a ten, he was sure to throw away another ten, although he had any amount of aces in his hand. He spoiled his best combinations rather than take tricks when it was clear that she wanted to lead. Nay, as he sat next to her, he undertook the duty of marking her various scores, and the manner in which the small brass hand went circling round the card was singular, until Tita suddenly exclaimed —

"Why, that is only a common marriage!"

"And do not you count forty for a common marriage?" he said, with a fine assumption of innocent wonder.

Such was the ending of our first day's rest; and then, just before candles were lit, a Cabinet Council was held to decide whether, on the morrow, we should choose as our halting-place Moreton-in-the-Marsh or Bourton-on-the-Hill. The more elevated site won the day.

From The Saturday Review.

THE SECRET POLICY OF THE VATICAN.

It was probably beyond the expectations of Prince Bismarck himself to carry his School Inspection Bill in the Upper House by a majority nearly double what he had obtained in the Lower House. Indeed it was thought to the last moment doubtful whether it would be carried at all. It was distasteful to the Conservative party, and still more to the Court, though the King had given it his formal sanction. And it offended the keenest susceptibilities of the great body of the Protestant, no less than of the Catholic, clergy, though it was at the influence of the latter only that it was really aimed. The pending controversy on the relations of Church and State in Germany, of which this affair is one phase, is already producing quite a literature of its own, and we may gather from the work recently published by Dr. Fabri, an Evangelical pastor, under the title *Staat und Kirche*, some informations as to the objections entertained by his co-religionists to the measure. He is alarmed generally at anything which may tend to loosen the union between the secular and spiritual authorities, and he is avowedly distrustful of the inherent capability of the Evangelical Church to stand

alone. He fears that the political measures directed against the Ultramontane party will only be able to strike it through the sides of their Protestant rivals, and will thus in the long run promote the triumph of Roman Catholicism. He is also disposed to regard the policy of the Chancellor in his contest with Ultramontanism as hazardous for the interests of the new Empire itself, and thinks it too late now to assail the infallibilist doctrine or the system of Papal absolutism which it sustains—a view which is naturally controverted by some of his critics. His treatise, however, goes far to explain the sort of alliance, or at least armed neutrality, established between the extreme sections of Catholic and Protestant opinion, in their common resistance to Prince Bismarck's Bill. The argument by which the Prussian Minister conquered or disarmed the various and powerful forces arrayed against him was such as, once admitting the alleged facts, could hardly fail to control the suffrage of any national Assembly. *Utiacos intra muros peccatur et extra* was the text and keynote of his discourse, and he certainly produced cogent reasons for believing that an organized conspiracy exists within the heart of the German Empire, designed to bring about its dismemberment. We need not repeat here what we have pointed out before as to the altered position of the Roman Court since Sadowa and Sedan, or the obvious grounds which induce it to make Prussia, to use Prince Bismarck's words "the butt of its constant attacks," and to select Poland as the natural centre and base of operations. It is worth noting, however, that Mgr. de Ladachowski has been secretly made Primate of All Poland, which is the more remarkable as the dignity had been long extinct; and it has been for centuries the received policy of Rome to diminish or equalize all intermediate ranks of the hierarchy on the old Tarquinian principle of cutting down the taller poppy-heads. Since the Isidorian Decretals found currency in Europe, the powers of archbishops and primates have been gradually curtailed, while their number has been multiplied, and the patriarchal office has been reduced to a mere titular decoration. It cannot therefore be without some special object that the Primacy of All Poland, including even its Austrian and Russian provinces, is suddenly revived in the person of the Archbishop of Posen. Still more significant are the letters addressed to Dr. Kosman by Herr Windhorst, late Minister of King George of Hanover, and by Bishop Ketteler, which

were read in the House by Prince Bismarck. Bishop Ketteler of Mayence, it must be remembered, is a man of mark in his way, and the recognized leader of the *Gesuitanti* party among the German bishops. Even while he was supposed to be leading the minority at the Vatican Council, he was all along the tool or dupe of the Jesuits; and his real animus came out clearly enough in his violent attacks immediately after his return home on those who had before been weak enough to believe in the sincerity of his professed convictions, and were still courageous enough to maintain their own. We are not at all surprised to find him plotting—as Dr. Dollinger in his famous Declaration last year asserted that the infallibilists inevitably would plot—against the new Empire of which he is a subject, in the temporal interests of the Pope.

Apart from the exciting nature of the particular conflict now raging in Germany, the affair has a wider interest of its own, from the striking illustration it affords of the habitual policy of the Roman Court and its standing army, the Jesuits. It must be borne in mind that Rome does not profess to have any cause of complaint against the religious policy of Prussia towards her Catholic subjects; and, indeed, till a year or two ago the two Powers were on the most friendly terms. The King of Prussia, if our memory serves us, presented a magnificent Brussels carpet for the Council Chamber in St. Peter's. Indeed, the force and range of the resistance to Prince Bismarck's Bill was due in great measure to his strict observance of the acknowledged Prussian principle of religious equality. The backbone of the opposition would have been broken if his Protestant supporters had been consoled by the assurance that what was sauce for the Ultramontane goose should not be sauce for the Evangelical gander. But no such compromise was ever dreamt of. It is not the religious interests of Catholicism, but the temporal pretensions of the Papacy, to which German Catholics are required to postpone the unity and independence of their country. "In mere spiritualibus," as the old Prince Bishops used to phrase it in the days before the Revolution, they perfectly understood that Prince Bismarck had no desire whatever to interfere with them, but so far from being content with spiritual freedom, Rome has never for a moment allowed such considerations to stand in the way of her dynastic claims. It is notorious that the Catholic priesthood of Prussia hold a higher place in popular estimation than

their brethren in Italy or France, and it is almost equally notorious that the clergy of North Italy are more respectable and more respected than those trained under the orthodox Governments of Rome and Naples. There is abundant Roman Catholic, and even Ultramontane, testimony to these facts; yet the Pope and his advisers would gladly throw Germany into a conflagration, and compel German Catholics to choose between treason and apostasy, in the forlorn hope of restoring the corrupt régime which made Rome the scandal as well as the centre of Christendom. There is nothing new in this, nor is there anything new in the school being employed as one of the main instruments of political propagandism. From the first it was the chosen stronghold of the Jesuits, and the present tone of Catholic society on the Continent, both clerical and lay, is in great measure due to their long ascendancy in the education of Catholic Europe. History testifies that even in the middle ages the terrible weapons of excommunication and interdict were far oftener invoked to crush a revolted city or enforce a disputed tax than for the preservation of piety or faith. After the reformation other and less direct methods of influence had of course to be discovered, but the spirit remained unchanged. It is a curious fact that the *Index Expurgatorius*, which was a real power in Latin countries, has been worked at least as much in the civil as in the religious interests of Rome, and it protected them by killing all literary energy and taste, till Latin theology and French novels became the staple and almost sole commodity of Roman booksellers. Not unfrequently ecclesiastical have been deliberately sacrificed to political considerations, as when Clement VII. aided the Smalkaldic League against Charles V. The zealous champion of Catholicism and Urban VIII. found it convenient to support the Protestant schemes of Gustavus Adolphus. In later days Pius VI. and Pius VII. did not deny that "they regarded the quality of a territorial prince more highly than that of head of the Church, and felt bound to act accordingly." Those who guide the counsels of the Vatican at the present hour evidently share that view. To embroil the Continent, already exhausted by two destructive wars, in a fresh and deadlier conflict, for the possible chance of rebuilding the Papal throne out of the ruins, even were the plot to prove successful, would do little to advance the religious interests of the Church, which the *Univers* declared the other day had been "handed over to

Satan," by the appointment of a French Ambassador to the Italian Court. We are aware that this perverse estimate of the relative value of secular and spiritual rights is not confined to the members of any one communion. Lord Eldon was looked up to by a large party in England as one of the main "pillars of the Church," though it was ill-naturedly observed that he should rather be called one of the buttresses, as he seldom entered its doors. But the principle has never been embodied on so gigantic a scale, or carried out with such unflinching consistency, as in what German writers call the "Curialistic system" of the Papacy. And the system has invariably shown itself too strong for individual Popes who might themselves be differently minded. When, for instance, "the good Pope Innocent XI.," as Dr. Dollinger justly calls him, endeavoured to restrain the immoral teaching of the Jesuits, they won an easy victory; and, what is more immediately to our purpose, when he resolved to respond through Bishop Spinola to the overtures of the German Protestants, he was obliged to let the Bishop act ostensibly in his own name only, "because the French cardinals in Rome opposed the scheme on the ground that a reunion of Protestant Germany with the Church would prove very awkward for French policy," and France was too important a Power for the Papacy to offend. In other words, it was against the political interests of the Vatican to convert to the true faith heretics whom it solemnly consigned to eternal perdition once every year for rejecting it. In our own day Rome has on similar ground discountenanced the conversion of Mohametans. Renaudot says truly enough that the principal obstacle to the reunion of the Eastern and Western Churches is the demand of the former that some limits should be placed on Papal autocracy.

The chief instruments of this tortuous, but rigidly consistent, policy for the last three centuries, as we observed just now, have been the Jesuits, who are the real administrators rather than the servants of the Papacy. When the reigning Pope was, so to speak, in opposition, they had no hesitation in resisting him. Innocent XI. requested their General, Gonzalez, to write against the casuistical doctrine of "probabilism" then taught by the Order, whereupon they held an extraordinary Chapter for the purpose of deposing him. They further displayed their hostility to Innocent by supporting Gallican principles in France, and Jesuits

actually had a hand in drawing up the Declaration of Gallican Liberties. In their foreign missions, and notably in China, they have owed much of their apparent success to very strange compromises with native superstition, for which the sanction of the Holy See has been either extorted or dispensed with. But, as a rule, the black Pope and the white Pope, as they are called in Rome, have pulled harmoniously together. And the maintenance and extension of Roman prerogative has been the supreme aim of their labours. It was for asserting the deposing power, and not for their religious belief, that Campian and his fellow-sufferers died at Tyburn. In these days the principle is no longer openly enforced, but it is quietly acted on by seeking to undermine Governments considered hostile to Papal interests. Infallibility is one of the weapons forged for carrying on this warfare, for it simplifies and strengthens the action of a centralized bureaucracy, and infallibility is the work of the Jesuits. In a pamphlet published last November on the *Infallibilists and the Modern State*, Dr. Reinkens observes, and subsequent experience has strikingly confirmed his statement, that "in Germany, and especially in Prussia, the spirit of the infallibilist Roman Church is simply the spirit of Jesuitism, which is destroying the German Empire from within," and he shows that the heaven has been secretly fermenting for the last half-century, and was noticed as long ago as that by Niebuhr, though recent events have served to precipitate the crisis. The school, the pulpit, and the confessional have all alike at various times been pressed into the service; but the Jesuits have always relied chiefly on their educational machinery, and the training of the people has become more important to them since they have lost the ear of kings. That they should ever obtain more

than partial and precarious successes in their internecine struggle with the culture and social life of the modern world is not to be anticipated. But it is well to remember how considerable even yet are their resources, and how inflexible is their resolution in directing them to a single end. The perfection of piety consists, according to their code, in the absolute and entire surrender of the intellect and the will to superior authority. As the Jesuit obeys his General, so every Christian should obey the Pope, blindly and with an abject sacrifice of his own judgment. Every restriction on that supreme authority is an abomination, every national law or constitution which asserts itself against the sole rightful Sovereign is a sacrilege and a treason. As Cardinal Pallavicini formulated the idea, the collective Church is a body inanimate without the Pope, but infused by him with a living soul; to him therefore belongs dominion over the whole Christian world as its head and master, whose authority is the sole foundation and uniting bond of all government, for he alone represents on earth *de jure divine* the sovereignty of God. And Gregory XIV. expressly recognized, in a Bull issued in 1591, the pre-eminent fitness of the Jesuit Order for ministering to the dominion of Rome, because, from its despotic military organization, it can the more easily be applied by the Pope to what purpose he will. Not one iota has been abandoned of the claims then made, nor are the disciples of Loyola one whit less ready to enforce them. The sudden collapse of the two great Catholic Powers is not so much a menace as a challenge to renewed energy in reconquering by force or fraud, or by a judicious combination of both, what the public opinion of a degenerate age is no longer willing to concede.

GEOGRAPHICAL DISTRIBUTION OF CONIFERÆ.—Dr. Robert Brown has communicated to *Petermann's Mittheilungen* an important paper on the geographical distribution of Coniferæ and Gnetaceæ. Separating the regions which contain a number of species, the greater part of which are peculiar to these areas, he distinguishes twenty-six "provinces" of distribution over the globe. Each of these, with its characteristic species, is described in detail in the paper. Among the conclusions drawn by Dr. Brown are the following:—That the Coniferæ

are found over the whole globe, preferring, however, the colder regions; when a northerly species spreads southward beyond the region in which it has attained its greatest development, it climbs to a height which has a mean temperature similar to that of its original locality. Every species expands in the direction of least meteorological and physical change, and has probably its own limiting isotherms, though temperature is not by any means so important a condition as moisture. Every species has a region within which it attains the climax of

development, and beyond this it decreases in numbers of individuals as well as in strength. Every natural genus appears to have originated in the centre of the area within which the greatest number of its species are found; it can scarcely be doubted, however, that these centres of origin have been subjected to great geological changes, and thus many of the apparent irregularities in the distribution of plants may be accounted for. It is erroneous to maintain that in every case climate and elevation exert an influence upon the distribution of plants and animals; the geological constitution of a region has an appreciative power in limiting the expansion of species.

Academy.

TWO LETTERS OF CHARLES THE FIRST.

27, Queen's Road, Feb. 19, 1872.

A KIND friend, who for some months has been patiently ransacking the numerous volumes of "Gondomar Correspondence," in the private library of the ex-Queen of Spain, with the hope of finding something that might relate to the drama or the dramatists living at the periods when Gondomar was Spanish Ambassador in London, has so far unearthed nothing bearing upon Shakspeare or his works; but amongst many historical odds and ends he has found two holograph letters of Charles Prince of Wales, written during his stay in the Spanish capital, to Count Gondomar, whom he calls in one letter his principal *alcahuete* (go-between).

Gondomar was an eager collector of all sorts of manuscripts and books, and it is an historical fact the Cottonian collection very nearly fell into his hands. How keen the mania was is shown in the letter of his librarian at Valladolid, Enrique Teller, who, writing on receipt of a batch of books and manuscripts, from London, says: "I will follow your instructions implicitly with respect to the manuscripts, which are many and very rare, including some Spanish, French, and Portuguese; but as for the English, they are the best I have ever seen in my life, as well historical as on other matters, and it is a pity no one understands them: the same I say of a multitude of papers in the same idiom, very curious, and which merit to be placed where they might be understood." I still hope that some of these papers may turn up somewhere in Spain: they can scarcely be those bound up in the many volumes of the private correspondence. It is known that a portion of Gondomar's books, &c., were removed from the Casa del Sol, and deposited in the private library of Charles the Fourth, now forming part of that in the Royal Palace at Madrid, and a careful search may yet produce some result. In the meantime here are Prince Charles's two letters, which may be of interest to some of your wide circle of readers.

F. W. COSENS.

"Gondomar: I doe heerby verrie willinglie establis . . . you according to the desyer of your letter, in that honorable office, of my principall Alcahuete, & for prooffe therof I must now pray you in earnest to retorne my humble & hartie thanks to my Mistres for her kynde & louing message sent me by Cottington who I hope shall proue a faithfull servant to us both, I leue it to this bearer my seruant to informe you how thankefullie both the Kinge my father & I takes you honest & diligent endeouirs in this greate busin . . . which praing God to prosper I bed you hartilie farwell & rest.

"Your constant frende

"CHARLES P.

"In the adress: To the Count of Gondomar my principall Alcahuete."

"Gondomar my frend: I have seene Buckingham's Letter to you all in English, I know no reason why I should not use the same freedome since I loue you as will Wee ar forced to take our ease by wryting short letters in regard of the great pains we take in howrlie fyghting for you, for my Mistres sake whom if I shall be so happie as to obtaine, I shall thinke my selfe largelie rewarded for all my labors which I wryt not for formahties sake, but doe indeede fynd my selfe ingaged both in honor & affection; but if you wonder how I can loue before I see; the troth is, I have both seen her picture and hard the report of her vertues by a number whom I trust, so as her Idea is ingrauen in my hart wher I hope to preserue it till I enioie the principall: all particulars I refer to the King my Fathers directions, & to the trust of the bearer my seruant, onlie I pray you not to looke now so much to the bonum publicum which the Pope so earnestlie preases to be added but rather to looke backe & consider how much we have alreadie granted and to remember that ye euer promised that the King my father should be no farder preaced in matters of religion, than his owen weal & good reason might perswad him though ther wer no matche & upon the other side to consider what malum publicum must of nesessitie enferre upon our Roman Catholiques if my matche should be broken ofe (which God forbid) upon these now nyce points. And so God blesse you and all your labours

"Your faithfull frend

"CHARLES P."

"Cartas y Provisiones Reales," in-fol. Bibl. de Palacio-Madrid; Sal. 2a; Est. C. — pl — 8.

A FAMILIAR QUOTATION. — A short time ago a correspondent of the *Daily Advertiser* called for information in regard to the origin of the proverb, "Cleanliness is next to godliness." By consulting Bartlett's Familiar Quotations, says the *Advertiser*, we found it attributed to John Wesley, but as he used it as a quotation, we

suggested that the question of its origin might still be deemed an open one. And now we find a note in the Richmond *Dispatch* from the learned rabbi, the Rev. Dr. Bettelheim, of that city, which shows just where it originated, and how in a regular gradation of virtues it is placed next to godliness. Dr. Bettelheim's note is as follows:—

RICHMOND, Aug. 7, 1871.

In your issue of Saturday last was a paragraph from the Boston *Daily Advertiser* inquiring as to the origin of the proverb, "Cleanliness is next to godliness." Let me state that this maxim appears first in a *Beraitha* as the last *Mishna* of *Sota*, chapter IX.; *Talmud jerus.*, *Shakalim*, chapter III., page 6; *Talmud babil.*, *Ab: sarah*, page 20, b.; *Julkut*, *Sh. Isaiah*, No. 263; and *Alfassi Ab: sarah*, *ibid. loc.* Here it reads as follows: "*Phinehas ben Yair* says: The doctrines of religion are resolved into (or are next to) carefulness. Carefulness into vigorosity. Vigorosity into guiltlessness. Guiltlessness into abstemiousness. Abstemiousness into cleanliness. Cleanliness into godliness [equal to holiness]." etc., etc. Literally next to godliness.

Yours, etc., DR. A. S. BETTELHEIM, Rabbi.

In his *Advancement of Learning*, first published in 1605, Book 2d, Article X "of arts concerning the body," Lord Bacon says: "Cleanliness of body was ever esteemed to proceed from a due reverence to God, to society, and to ourselves." T.

An interesting anecdote about Mazzini appears in a new book just published in Paris under the title of "*Le Dernier des Napoléons*," Sir James Hudson, then British Ambassador at Turin, once requested Cavour to give an audience to an English traveller who had just arrived. The Minister received his visitor very early in the morning, as was his custom. After the usual courtesies had been exchanged, the "Englishman" described to Cavour a deep-laid plan which he had conceived for the restoration of Italian independence. Cavour was astonished at the boldness and thoughtful foresight shown by his interlocutor, and expressed his regret at not being sufficiently conversant with the English language to enter fully into all details of the scheme. The stranger then went over the whole plan in the purest and most elegant Italian. As he was taking his leave, Cavour said to him—"You talk politics like Machiavel, and Italian like Manzoni. If I had a countryman like yourself, I would gladly give up to him my place as President of the Ministry. Pray tell me what I can do for you." "If such a man as I were your countryman," was the reply, "you would sentence him to death. If you wish to show your appreciation of my advice, carry it out, and liberate Italy. So far, at least, the protection of Sir James Hudson will suffice for me." The stranger then left the room, first handing his card to Cavour, who read on it with amazement the name of Mazzini.

From The Cornhill Magazine.

STORY OF THE PLEBISCITE.

TOLD BY ONE OF THE SEVEN MILLION FIVE HUNDRED THOUSAND WHO VOTED "YES."

IX.

On the 29th September a Prussian *vaguemestre** brought me some proclamations with orders to make them public.

These proclamations declared that we were now part of the department of La Moselle, and that we were under a Prussian préfet, the Count Henkel de Bonnermark, who was himself under the orders of the Governor-General of Alsace and Lorraine, the Count Bismarck-Bohlen, provisionally residing at Haguenau.

I cannot tell what evil spirit then laid hold of me; the landwehr had brought us the day before the news of the capitulation of Strasbourg; I had been worried past all endurance by all the requisitions which I was ordered to call for, and I boldly declared my refusal to post that proclamation; that it was against my conscience; that I looked upon myself as a Frenchman still, and they need not expect an honest man to perform such an errand as that.

The *vaguemestre* seemed astonished to hear me. He was a stout man, with thick brown moustaches and prominent eyes.

"Will you be good enough to write that down, M. le Maire?" he said.

"Why not? I am tired out with all these vexatious acts. Let my place be given to your friend, M. Placiard: I should be thankful. Let him order these requisitions. I look upon them as mere robbery."

"Well, write that down," said he. "I obey orders: I have nothing to do with the rest."

Then, without another thought, I opened my desk and wrote that Christian Weber, Mayor of Rothal, considered it against his conscience to proclaim Bismarck-Bohlen Governor of a French province, and that he refused absolutely.

I signed my name to it, with the date, 29th September, 1870; and it was the greatest folly I ever committed in my life: it has cost me dear.

The *vaguemestre* took the paper, put it in his pocket, and went away. Two or three hours after, when I had thought it over a little, I began to repent, and I wished I could have the paper back again.

That evening, after supper, I went to

* The officer in command of a wagon-train. Also an army letter-carrier.

tell George the whole affair; he was quite pleased.

"Very good, indeed, Christian," said he. "Now your position is clear. I have often felt sorry that you should be obliged, for the interest of the commune, and to avoid pillage, to give bonds to the Prussians. People are so absurd! seeing the signature of the mayor, they make him, in a way, responsible for everything: everyone fancies he is bearing more than his share. Now you are rid of your burden: you could not go so far as to requisition in the name of Henkel de Bonnermark, self-styled préfet of La Moselle; let some one else do that work: they will have no difficulty in finding as many ill-conditioned idiots as they want for that purpose."

My cousin's approbation gave me satisfaction, and I was going home, when the same *vaguemestre* in whose hands I had placed my resignation in the morning, entered, followed by three or four *landwehr*.

"Here is something for you," said he, handing me a note, which I read aloud:

"The persons called Christian Weber, miller, and George Weber, wine-merchant, in the village of Rothlap, will, to-morrow, drive to Droulingen, four thousand kilos of hay and ten thousand kilos of straw, without fail. By order—FLOEGL."

"Very well," I replied. For although this requisition appeared to me to be rather heavy, I would not betray my indignation before our enemies; they would have been too much delighted. "Very well, I will drive my hay and my straw to Droulingen."

"You will drive it yourself," said the *vaguemestre*, brutally. "All the horses and carts in the village have been put into requisition: you have too often forgotten your own."

"I can prove that my horses and my carts have been worked oftener than anyone's," I replied, with rising wrath. "There are your receipts; I hope you won't deny them."

"Well, it doesn't matter," said he. "The horses, the carts, the hay and straw are demanded; that is plain."

"Quite plain," said Cousin George. "The strongest may always command."

"Exactly so," said the *vaguemestre*.

He went out with his men, and George, without anger, said, "This is war! Let us be calm. Perhaps our turn will come now that the *honest man* is no longer in command of our armies. In the meantime the best thing we can do, if we do not want to lose our horses and our carts besides, will be to load to-night, and to start very early

in the morning. We shall return before seven o'clock to supper; and then they won't be able to take any more of our hay and straw, because we shall have none left."

For my part, I was near bursting with rage; but, as he set the example, by stripping off his coat and putting on his blouse, I went to wake up old Father Offran to help me to load.

My wife and Grédel were expecting me; for the *vaguemestre* and his men had called at the mill, before coming to George's house, and they were trembling with apprehension. I told them to be calm; that it was only taking some hay and straw to Droulingen, where I should get a receipt for future payment.

Whether they believed it or not, they went in again.

I lighted the lantern, Offran mounted up into the loft and threw me down the trusses, which I caught upon a fork. About two in the morning, the two carts being loaded, I fed the horses and rested a few minutes.

At five o'clock, George, outside, was already calling, "Christian, I am here!"

I got up, put on my hat and my blouse, opened the stable from the inside, put the horses in, and we started in the fresh and early morning, supposing we should return at night.

In all the villages that we passed through, troops of *landwehr* were sitting before their huts, ragged, with patched knees and filthy beards, like the description of the Cossacks of former days, smoking their pipes; and the cavalry and infantry were coming and going.

Those who remained in garrison in the villages were obliged by their orders to give up their good walking boots to the others, and to wear their old shoes.

Mounted officers, with their low, flat caps pulled down upon their noses, were skimming along the paths by the road-side like the wind. In the old wayside inns, in the corners of the yards the dunghills were heaped up with entrails and skins of beasts; hides, stuffed with straw, were hanging also from the banisters of the old galleries, where we used to see washed linen hanging out to dry. Misery, unspeakable misery, and gnawing anxiety were marked upon the countenances of the people. The Germans alone looked fat and sleek in their broken boots; they had good white bread, good red wine, good meat, and smoked good tobacco or cigars: they were living like fighting cocks.

At a certain former time, these people had complained bitterly of our invasion of their country, without remembering that they had begun by invading ourselves. And yet they were right. At the close of the First Empire, the French were only fighting for one man; but the Germans had since had their revenge twice, in 1814 and 1815, and for fifty years they had always been coming to us as friends, and were received like brothers: we bore no malice against them, and they seemed to bear none against us; peace had softened us. We only wished for their prosperity, as well as for our own; for nations are really happy only when their neighbours are prospering: then business and industry all move hand in hand together! That was our position! We said nothing more of our victories; we talked of our defeats, so as to do full justice to their courage and their patriotism; we acknowledged our faults; they pretended to acknowledge theirs, and talked of fraternity. We believed in their uprightness, in their candour and frankness: we were really fond of them.

Now hatred has arisen between us.

Whose the fault?

First, our stupidity, our ignorance. We all believed that the plebiscite was for peace; the ministers, the préfets, the sous-préfets, the magistrates, the commissioners of police, everybody in authority affirmed this. A villain has used it to declare war! But the Germans were glad of the war; they were full of hatred, and malice, and envy, without betraying it: they had long watched us and studied us; they endured everlasting drill and perpetual fatigue to become the strongest, and sought with pains for an opportunity to get war declared against themselves, and so set themselves right in the eyes of Europe. The Spanish complication was but a trap laid by Bismarck for Bonaparte. The Germans said to one another: "We have twelve hundred thousand men under arms; we are four to one. Let us seize the opportunity! If the French Government take it into their heads to organize and discipline the Garde Mobile, all might be lost. . . . Quick, quick!"

This is the uprightness, frankness and fraternity of the Germans!

Our idiot fell into the trap. The Germans overwhelmed us with their multitudes. They are our masters; they hold our country; we are paying them milliards! and now they are coming back just as before into our towns and cities in troops, smiling upon us, extending the right hand:

"Ha! ha! how are you now? Have you been pretty well all this long while? What! don't you know me? You look angry! Ah! but you really shouldn't. Such friends, such good old friends! Come, now! give me a small order, only a small one; and don't let us think of that unhappy war!"

Faugh! Let us look another way; it is too horrible.

To excuse them, I say (for one must always seek excuses for everything) man is not by nature so debased; there must be causes to explain so great a want of natural pride; and I say to myself—that these are poor creatures trained to submission, and that these unfortunate beings do as the birds do that the birdcatcher holds captive in his net; they sing, they chirp to decoy others.

"Ah! how jolly it is here! how delightful here in old Germany, with an Emperor, kings, princes, German dukes, grand-dukes, counts, and barons! What an honour to fight and die for the German Fatherland! The German is the foremost man in the world!"

Yes! yes! Poor devils! We know all about that. That is the song your masters taught you at school! For the King of Prussia, and for his nobility you work, you spy, you have your bones broken on the battle-field! They pay you with hollow phrases about the noble German, the German Fatherland, the German sky, the German Rhine; and when you sing false, with rough German slaps upon your German faces.

No; no! it is of no use; the Alsacians and the Lorrainers will never whistle like you; they have learnt another tune.

Well! all this did not save us from being nipped, George and me, and from being made aware that at the least resistance they would wring our necks like chickens. So we put a good face upon a bad game, observing the desolation of all this country, where the cattle plague had just broken out. At Lohre, at Ottviller, in a score of places, this terrible disease, the most ruinous for the peasantry, was already beginning its ravages; and the Prussians, who eat more than four times the quantity of meat that we do,—when it belongs to other people—were afraid of coming short.

Their veterinary doctors knew but one remedy; when a beast fell ill, refused its fodder, and became low-spirited, they slaughtered it, and buried it with hide and horns six feet under ground. This was not much cleverer than the bombardment of towns to force them to surrender, or

the firing of villages to compel people to pay their requisitions. But then it answered the purpose!

The Germans in this campaign have taught us their best inventions! They had thought them over for years, whilst our schoolmasters and our gazettes were telling us that they were passing away their time in dreaming of philosophy, and other things of so extraordinary a kind that the French could not understand the thing at all.

About eleven we were at Droulingen, where was a Silesian battalion ready to march to Metz. It seems that some cavalry were to follow us, and that the requisitions had exhausted the fodder in the country, for our hay and straw were immediately housed in a barn at the end of the village, and the Major gave us a receipt. He was a grey-bearded Prussian, and he examined us with wrinkled eyes, just like an old gendarme who is about to take your description.

This business concluded, George and I thought we might return at once; when, looking through the window, we saw them loading our carts with the baggage of the battalion. Then I came out, exclaiming: "Hallo! those carts are ours! We only came to make a delivery of hay and straw!"

The Silesian commander, a tall, stiff, and uncompromising-looking fellow, who was standing at the door, just turned his head, and, as the soldiers were stopping, quietly said, "Go on!"

"But, captain," said I, "here is my receipt from the Major!"

"Nothing to me," said he, walking into the mess-room, where the table was laid for the officers.

We stood outside in a state of indignation, as you may believe. The soldiers were enjoying the joke. I was very near giving them a rap with my whip-handle; but a couple of sentinels marching up and down with arms shouldered, would certainly have passed their bayonets through me. I turned pale, and went into Finck's public-house, where George had turned in before me. The small parlour was full of soldiers, who were eating and drinking as none but Prussians can eat and drink; almost putting it into their noses.

The sight and the smell drove us out, and George, standing at the door, said to me: "Our wives will be anxious; had we not better find somebody to tell them what has happened to us?"

But it was no use wishing or looking; there was nobody.

The officers' horses along the wall, their bridles loose, were quietly munching their feed, and ours, which were already tired, got nothing.

"Hey!" said I to the *feld-weibel*, who was over-looking the loading of the carts: "I hope you will not think of starting without giving a handful to our horses?"

"If you have got any money, you clown," said he, grinning, "you can give them hay, and even oats, as much as you like. There, look at the signboard before you: 'Hay and oats sold here.'"

That moment I heaped up more hatred against the Prussians than I shall be able to satiate in all my life.

"Come on," cried George, pulling me by the arm; for he saw my indignation.

And we went into the "Bay Horse," which was as full of people as the other, but larger and higher. We fed our horses; then, sitting alone in a corner, we ate a crust of bread and took a glass of wine, watching the movements of the troops outside. I went out to give my horses a couple of buckets of water, for I knew that the Germans would never take that trouble.

George called to him the little pedlar Friedel, who was passing by with his pack, to tell him to inform our wives that we should not be home till to-morrow morning, being obliged to go on to Sarreguemines. Friedel promised, and went on his way.

Almost immediately, the word of command and the rattle of arms warned us that the battalion was about to march. We only had the time to pay and to lay hold of the horses' bridles.

It was pleasant weather for walking—neither too much sun nor too much shade; fine autumn weather. And since, in comparing the Germans with our own soldiers as to their marching powers, I have often thought that they never would have reached Paris but for our railroads. Their infantry are just as conspicuous for their slowness and their heaviness as their cavalry are for their swiftness and activity. These people are splay-footed, and they cannot keep up long. When they are running, their clumsy boots make a terrible clatter; which is perhaps the reason why they wear them; they encourage each other by this means, and imagine they dismay the enemy. A single company of theirs makes more noise than one of our regiments. But they soon break out in a perspiration, and their great delight is to get up and have a ride.

Towards evening, by five o'clock, we

had only gone about three leagues from Droulingen, when, instead of continuing on their way, the commander gave the battalion orders to turn out of it into a parish road on the left. Whether it was to avoid the lodgings by the way, which were all exhausted, or for some other reason, I cannot say.

Seeing this, I ran to the commanding officer in the greatest distress.

"But in the name of heaven, captain," said I, "are you not going on to Sarreguemines? We are fathers of families; we have wives and children! You promised that at Sarreguemines we might unload and return home."

George was coming, too, to complain; but he had not yet reached us, when the commander, from on horseback, roared at us with a voice of rage: "Will you return to your carts, or I will have you beaten till all is blue? Will you make haste back?"

Then we returned to take hold of our bridles, with our heads hanging down. Three hours after, at nightfall, we came into a miserable village, full of small crosses along the road, and where the people had nothing to give us; for famine had overtaken them.

We had scarcely halted, when a convoy of bread, meat, and wine arrived, escorted by a few huzzars. No doubt it came from Alberstroff. Every soldier received his ration, but we got not so much as an onion: not a crust of bread — nothing — nor our horses either.

That night, George and I rested alone, under the shelter of a deserted smithy, while the Prussians were asleep in every hut and in the barns, and the sentinels paced their rounds about our carts, with their muskets shouldered; we began to deliberate what we ought to do.

George, who already forebode the miseries which were awaiting us, would have started that moment, leaving both horses and carts; but I could not entertain such an idea as that. Give up my pair of beautiful dappled grey horses, which I had bred and reared in my own orchard at the back of the mill! It was impossible.

"Listen to me," said George. "Remember the Alsacians who have been passing by us the last fortnight: they look as if they had come out of their graves; they had never received the smallest ration. They would have been carried even to Paris if they had not run away. You see that these Germans have no bowels. They are possessed with a bitter hatred against

the French, which makes them as hard as iron; they have been incited against us at their schools; they would like to exterminate us to the last man. Let us expect nothing of them, that will be the safest. I have only six francs in my pocket; what have you?"

"Eight livres and ten sous."

"With that, Christian, we cannot go far. The nearer we get to Metz, the worse ruin we shall find the country in. If we were but able to write home, and ask for a little money! but you see they have sentinels on every road, at the ends of all the lanes: they allow neither foot-passengers, nor letters, nor news to pass. Believe me, let us try to escape."

All these good arguments were useless. I thought that, with a little patience, perhaps at the next village, other horses and other carriages might be found to requisition, and that we might be allowed quietly to return home. That would have been natural and proper; and so in any country in the world they would have done.

George, seeing that he was unable to shake my resolution, lay down upon a bench and went to sleep. I could not shut my eyes.

Next day, at six o'clock, we had to resume the march; the Silesians well-refreshed, we with empty stomachs.

We were moving in the direction of Gros Tenquin. The further we advanced, the less I knew of the country. It was the country around Metz, le pays Messin, an old French district, and our misery increased at every stage. The Prussians continued to receive whatever they required, and took no further trouble with us than merely preventing us from leaving their company: they treated us like beasts of burden; and, in spite of all our economy, our money was wasting away.

Never was so sad a position as ours; for, on the fourth or fifth day, the officer, guessing from our appearance that we were meditating flight, quite unceremoniously said in our presence to the sentinels: "If those people stir out of the road fire upon them."

We met many others in a similar position to ours, in the midst of these squadrons and these regiments, which were continually crossing each other and were covering the roads. At the sight of each other, we felt as if we could burst into tears.

George always kept up his spirits, and even from time to time he assumed an air of gaiety, asking a light of the soldiers to

light his pipe, and singing sea-songs, which made the Prussian officers laugh. They said: "This fellow is a real Frenchman; he sees things in a bright light."

I could not understand that at all: no, indeed! I said to myself that my cousin was losing his senses.

What grieved me still more was to see my fine horses perishing — my poor horses so sleek, so spirited, so steady, the best horses in the commune, and which I had reared with so much satisfaction. Oh, how deplorable! . . . Passing along the hedges, by the roadside, I pulled here and there handfuls of grass, to give them a taste of something green, and for a moment they would stare at it, and toss up their heads, then devour this poor stuff. The poor brutes could be seen wasting away, and this pained me more than anything.

Then the thoughts of my wife and Grédel, and their uneasiness, what they were doing, what was becoming of the mill and our village — what the people would say when they knew that their mayor was gone, and then the town, and Jacob — everything overwhelmed me, and made my heart sink within me.

But the worst of all, and what I shall never forget, was in the neighbourhood of Metz.

For a fortnight or three weeks there had been no more fighting; the city and Bazaine's army were surrounded by huge earthworks, which the Prussians had armed with guns. We could see that afar off, following the road on our right. We could see many places, too, where the soil had been recently turned over; and George said they were pits, in which hundreds of dead lay buried. A few burnt and bombarded villages, farms, and castles in ruins, were also seen in the neighbourhood. There was no more fighting; but there was a talk of *frances-tireurs*, and the Silesians looked uncomfortable.

At last, on the tenth day after our departure, after having crossed and recrossed the country in all directions, we arrived about three o'clock, at a large village on the Moselle, when the battalion came to a halt. Several detachments from our battalion had filled up the gaps in other battalions, so that there remained with us only the third part of the men who had come from Droulingen.

After the distribution of provender, seeing that the officers' horses had been fed, and that they were putting their bridles on, I just went and picked up a few handfuls of hay and straw which were ly-

ing on the ground, to give to mine. I had collected a small bundle, when a corporal on guard in the neighbourhood, having noticed what I was doing, came and seized me by the whiskers, shaking me, and striking me on the face.

"Ah! you greedy old miser! Is that the way you feed your beasts?"

I was beside myself with rage, and had already lifted my whip-handle to send the rascal sprawling on the earth, when Cousin George precipitated himself between us crying: "Christian! what are you dreaming of?"

He wrested the whip from me, and whilst I was quivering in every limb, he began to excuse me to the dirty Prussian; saying that I had acted hastily, that I had thought the hay was to be left, that it ought to be considered that our horses too followed the battalion, &c.

The fellow listened, drawn up like a gendarme, and said: "Well, then, I will pass it over this time; but if he begins his tricks again, it will be quite another thing."

Then I went into the stable and stretched myself in the empty rack, my hat drawn over my face, without stirring for a couple of hours.

The battalion was going to march again. George was looking for me everywhere. At last he found me. I rose, came out, and the sight of all these soldiers dressed in line, with their rifles and their helmets, made my blood run cold: I wished for death.

George spoke not a word, and we moved forward; but from that moment I had resolved upon flight, at any price, abandoning everything.

The same evening, an extraordinary event happened; we received a little straw! We lay in the open air, under our carts, because the village at which we had just arrived was full of troops. I had only twelve sous left, and George but twenty or thirty. He went to buy a little bread and eau-de-vie in a public-house; we dipped our bread in it, and in this way we were just able to sustain life.

Every time the corporal passed, who had laid his hand upon me, my knife moved of its own accord in my pocket, and I said to myself: "Shall an Alsatian, an old Alsatian, endure this affront without revenge? Shall it be said that Alsacians allow themselves to be knocked about by such spawn as these fellows, whom we have thrashed a hundred times in days gone by, and who used to run away from us like hares?"

George, who could see by my countenance what I was thinking of, said: "Christian! Listen to me. Don't get angry. Set down these blows to the account of the Plébiscite, like the bonds for bread, flour, hay, meat, and the rest. It was you who voted all that: the Germans are not the causes! They are brute beasts, so used to have their faces slapped, that they catch every opportunity to give others the like, when there is no danger, and when they are ten to one. These slaps don't produce the same effect on them as on us; they are felt only on the surface, no further! So comfort yourself; this monstrous beast never thought he was inflicting any disgrace upon you; he took you for one of his own sort."

But instead of pacifying me, George only made me the more indignant; especially when he told me that the Germans, talking together, had told how Queen Augusta of Prussia had just sent her own cook to the Emperor Napoleon, to cook nice little dishes for him; and her own band to play agreeable music under his balcony!

I had had enough! I lay under our cart, and all that night I had none but bad dreams.

We had always hoped that, on coming near a railway, the remains of the battalion would get in, and that we should be sent home: unhappily our men were intended to fill up gaps in other battalions: companies were detached right and left, but there were always enough left to want our conveyances, and to prevent us from setting off home.

We had not had clean shirts for a fortnight; we had not once taken off our shoes, knowing that we should have too much difficulty in getting them on again; we had been wetted through with rain and dried by the sun five-and-twenty times; we had suffered all the misery and wretchedness of hunger, we were reduced to scarecrows by weariness and suffering; but neither cousin nor I suffered from dysentery like those Germans; the poorest nourishment still sustained us; but the bacon, the fresh meat, the fruits, the raw vegetables devoured by these creatures without the least discretion, worked upon them dreadfully: no experience could teach them wisdom; their natural voracity made them devoid of all prudence.

As a climax to our miseries, the officers of our battalion were talking of marching on Paris.

The Prussians knew a month beforehand that Bazaine would never come out of his camp, and that he would finally surrender after he had consumed all the provisions in Metz; they said this openly, and looked upon Marshal Bazaine as our best general: they praised and exalted him for his splendid campaign. The only fault they could find was, that he had not shut himself up sooner; because then things would have been settled much earlier. They complained too, of our Emperor, and affirmed that the best thing we could do would be to set him on his throne again.

George and I heard these things repeated a hundred times at the inns and public-houses where we halted. The French innkeepers made us sit behind the stove, and for pity, passed us sometimes the leavings of the soup; but for this we should have perished of hunger. They asked us in whispers what the Germans were saying, and when we repeated their sayings, the poor people said to us: "Really, how fond the Prussians are of us! Certainly they do owe some comfort to the men who have surrendered! Every brave deed deserves to be rewarded."

One of the Lorraine innkeepers said this to us; he was also the first to tell us that Gambetta, having escaped from Paris in a balloon, was now at Tours with Glais-Bizoin, and several others, to raise a powerful army behind the Loire. In these parts they got the Belgian papers, and whenever we heard a bit of good news, it screwed up our courage a little.

Quantities of provisions and stores were passing: immense flocks of sheep, and herds of oxen, cases of sausages, barrels of bread, wine, and flour; sometimes regiments also. The trains for the East were carrying wounded in heaps, stretched one over another in the carriages upon mattresses on frames, their pale faces seeking fresh air and coolness at all the windows. German doctors with the red cross upon their arms were accompanying them, and in every village there were ambulances.

The heavy rains and the first frosts had come. A thousand rumours were abroad of great battles under the walls of Paris. The Prussians were especially wroth with Gambetta; "that Gambetta! the bandit!" as they called him, who was preventing them from having peace and bringing back Napoleon. Never have I seen men so enraged with an enemy because he would not surrender. The officers and soldiers talked of nothing else.

"That Gambetta," said they, "is the cause of all our trouble. His francs-tireurs

deserve to be strung up. But for him, peace would be made. We should already have got Alsace and Lorraine; and the Emperor Napoleon, at the head of the army of Metz, would have been on his way to restore order at Paris."

At every convoy of wounded their indignation mounted higher. They thought it perfectly natural and proper that *they* should set fire to us, devastate our country, plunder and shoot us; but for us to defend ourselves was infamous!

Is it possible to imagine a baser hypocrisy? For they did not believe what they were saying: they wanted to make us think that our cause was a bad one; yet how could there be a holier and a more glorious one?

Of course every Frenchman, from the oldest to the youngest — and principally the women — prayed for Gambetta's success, and more than once tears of emotion dropped at the thought that, perhaps, he might save us. Crowds of young men left the country to join him, and then the Prussians burdened their parents with a war contribution of fifty francs a day. They were ruining them; and yet this did not prevent others from following in numerous bands.

The Prussians threatened with the galleys whosoever should connive at the flight, as they called it, of these volunteers, whether by giving them money, or supplying them with guides, or by any other means. Violence, cruelty, falsehood — all sorts of means seemed good to the Germans to reduce us to submission; but arms were the least resorted to of all these means, because they did not wish to lose men, and in fighting they might have done so.

We had stopped three days at the village of Jametz in the direction of Montmédy. It was in the latter part of October; the rain was pouring; George and I had been received by an old Lorraine woman, tall and spare, Mother Marie-Jeanne, whose son was serving in Metz. She had a small cottage by the roadside, with a little loft above, which you reached by a ladder, and a small garden behind, entirely ravaged. A few ropes of onions, a few peas and beans in a basket, were all her provisions. She concealed nothing; and whenever a Prussian came in to ask for anything, she feigned deafness and answered nothing. Her misery, her broken windows, her dilapidated walls, and the little cupboard left wide open, soon induced these greedy gluttons to go somewhere else, supposing there was nothing for them there.

This poor woman had observed our wretched plight; she had invited us in, asking us where we were from, and we had told her of our misfortunes. She herself had told us that there remained a few bundles of hay in the loft, and that we might take them, as she had no need for them; the Germans having eaten her cow.

We climbed up there to sleep by night, and we drew up the ladder after us, listening to the rain plashing on the roof and running off the tiles.

George had but ten sous left, and I had nothing, when, on the third day, as we were lying in the hay-loft, about two in the morning, the bugle sounded. Something had happened: an order had come — I don't know what.

We listened attentively. There were hurrying footsteps; the butts of the muskets were rattling on the pavement; they were assembling, falling in, and in all directions were cries:

"The drivers! the drivers! where are they?"

The commander was swearing; he shouted furiously.

"Fetch them here! find them! shoot the vagabonds!"

We did not stir a finger.

Suddenly the door burst open. The Prussians demanded in German and in French: "Where are the drivers — those Alsatian drivers?"

The aged dame answered not a word; she shook her head, and looked as deaf as a post, just as usual. At last, out they rushed again. The rascals had indeed seen the trap-door in the ceiling, but it seems they were in a hurry, and could not find a ladder without losing time. At last, whether they saw it or not, presently we heard the tramping of the men in the mud, the cracking of the whips, the rolling of the carts, and then all was silent.

The battalion had disappeared.

Then only, after they had left half-an-hour, the kind old woman below began to call us. "You can come down," she said; "they are gone now."

And we came down.

The poor woman said, laughing heartily, "Now you are safe! Only you must lose no time; there might come an order to catch you. There, eat that."

She took out of the cupboard a large basin full of soup made of beans; for she used to cook enough for three or four days at a time — and warmed it over the fire.

"Eat it all; never mind me! I have got more beans left."

There was no need for pressing, and in a couple of minutes the basin was empty.

The good woman looked on with pleasure, and George said to her: "We have not had such a meal for a week."

"So much the better! I am glad to have done you any service! And now go. I wish I could give you some money; but I have none."

"You have saved our lives," I said. "God grant that you may see your son again! But I have another request to make before we go."

"What is it, then?"

"Leave to give you a kiss."

"Ah, gladly, my poor Alsacians, with all my heart! I am not pretty, as I used to be; but it is all the same."

And we kissed her as we would a mother.

When we went to the door, the daylight was breaking.

"Before you lies the road to Dun-sur-Meuse," she said, "don't take that; that is the road the Prussians have taken: no doubt the commander has given a description of you in the next village. But here is the road to Metz by Damvillers and Etain; follow that. If you are stopped, say that your horses were worked to death, and you were released."

This poor old woman was full of good sense. We pressed her hand again, with tears in our eyes, and then we set off, following the road she had pointed out to us.

I should be very much puzzled now to tell you all the villages we passed between Jametz and Rothalp. All that country between Metz, Montmédy, and Verdun was swarming with cavalry and infantry, living at the expense of the people, and keeping them, as it were, in a net, to eat them as they were wanted. The troops of the line, and especially the gunners, kept around the fortresses; the rest, the landwehr in masses, occupied even the smallest hamlets, and made requisitions everywhere.

In one little village between Jametz and Damvillers, we heard on our right a sharp rattle of musketry along a road, and George said to me: "Behind there our battalion is engaged. All I hope is that the brave commander who talked of shooting us may get a ball through him, and your corporal too."

The village people standing at their doors said, "It is the frances-tireurs!"

And joy broke out in every countenance, especially when an old man ran up from the path by the cemetery, crying: "Two carriages, full of wounded, are com-

ing—two large Alsacian wagons; they are escorted by hussars."

We had just stopped at a grocer's shop in the market square, and were asking the woman who kept this little shop if there was no watchmaker in the place—for my cousin wished to sell his watch, which he had hidden beneath his shirt since we had left Droulingen—and the woman was coming down the steps to point out the spot, when the old man began to cry, "Here come the Alsacian carts!"

Immediately, without waiting for more, we set off at a run to the other end of the village; but near to a little river, whose name I cannot remember, just over a clump of pollard willows, we caught the glitter of a couple of helmets, and this made us take a path along the river-side, which was then running over in consequence of the heavy rains. We went on thus a considerable distance, sometimes having the water up to our knees.

In about half-an-hour we were getting out of these reed-beds, and had just caught sight, above the hill on our left, of the steeple of another village, when a cry of "Wer da!"* stopped us short, near a deserted hut two or three hundred paces from the first house. At the same moment a landwehr started out of the empty house, his rifle pointed at us, and with his finger on the trigger.

George, seeing no means of escape, answered, "Gute freund!"†

"Stand there," cried the German: "don't stir, or I fire."

We were of course, obliged to stop, and only ten minutes afterwards, a picket coming out of the village to relieve the sentinel, carried us off like vagrants to the mayoralty-house. There the captain of the landwehr questioned us at great length, as to who we were, whence we came, the cause of our departure, and why we had no passes.

We repeated that our horses were dead of overwork, and that we had been told to return home; but he refused to believe us. At last, however, as George was asking him for money to pursue our journey, he began to exclaim: "To the — with you, scoundrels! Am I to furnish you with provisions and rations! Go; and mind you don't come this way again, or it will be worse for you!"

We went out very well satisfied.

At the bottom of the stairs, George was thinking of going up again to ask for a pass; but I was so alarmed lest this

* "Who goes there?" † "A friend."

captain should change his mind, that I obliged my cousin to put a good distance between that fellow and ourselves with all possible speed; which we did, without any other misadventure until we came to Etain. There George sold his gold watch and chain for sixty-five francs; making, however, the watchmaker promise that if he remitted to him seventy-five francs before the end of the month, the watch and chain should be returned to him.

The watchmaker promised, and cousin then taking me by the arm, said: "Now, Christian, come on; we have fasted long enough, let us have a banquet.

And a hundred paces further on, at the street corner, we went into one of those little inns where you may have a bed for a few sous.

The men there, in a little dark room, were not gentlemen; they were taking their bottles of wine, with their caps over one ear, and shirt collars loose and open; but seeing us at the door, ragged as we were, with three-weeks' shirts, and beards and hats saturated and out of all shape and discoloured with rain and sun, they took us at first for bear-leaders or dromedary drivers.

The hostess, a fat woman, came forward to ask us what we wanted.

"Your best strong soup, a good piece of beef, a bottle of good wine, and as much bread as we can eat," said George.

The fat woman gazed at us with winking eyes, and without moving, as if to ask: "All very fine! but who is going to pay me?"

George displayed a five-franc piece, and at once she replied, smiling: "Gentlemen, we will attend to you immediately."

Around us were murmurings: "They are Alsacians! they are Germans! they are this, they are that!"

But we heeded nothing; we spread our elbows upon the table; and the soup having appeared in a huge basin, it was evident that our appetites were good; as for the beef, a regular Prussian morsel, it was gone in a twinkling, although it weighed two pounds and was flanked with potatoes and other vegetables. Then, the first bottle having disappeared, George had called for a second; and our eyes were beginning to be opened; we regarded the people in another light; and one of the bystanders having ventured to repeat that we were Germans, George turned sharply round and cried: Who says we are Germans? Come let us see! If he has any spirit, let him rise. We Germans!"

Then he took up the bottle and shattered

it upon the table in a thousand fragments. I saw that he was losing his head, and cried to him: "George, for heaven's sake don't: you will get us taken up!"

But all the spectator agreed with him.

"It is abominable!" cried George. "Let the man who said we are Germaids stand out and speak; let him come out with me: let him choose sabre, or sword, whatever he likes, it is all the same to me."

The speaker then called upon, a youth, rose and said: "Pardon me, I apologize; I thought—"

"You had no right to think," said George; "such things never should be said. We are Alsacians; true Frenchmen, men of mature age; my companion's son is at Phalsburg in the Mobiles, and I have served in the Marines. We have been carried away, dragged off by the Germans; we have lost our horses and our carriages, and now on arriving here, our own fellow-countrymen insult us in this way because we have said a few words in Alsacian, just as Bretons would speak in Breton, and Provençal in Provençal."

"I ask your pardon," repeated the young man. "I was in the wrong—I acknowledge it. You are good Frenchmen."

"I forgive you," said George, scrutinizing him; but how old are you?"

"Eighteen."

"Well, go where you ought to be, and show that you, too, are as good Frenchmen as we are. There are no young men left in Alsace. You understand my meaning."

Everybody was listening. The young man went out, and as cousin was asking for another bottle, the landlady whispered to him over his shoulder: "You are good Frenchmen; but you have spoken before a great many people—strangers, that I know nothing of. You had better go."

Immediately, George recovered his senses; he laid a cent-sous piece on the table, the woman gave him two francs fifty-centimes change, and we went out.

Once out, George said to me: "Let us step out: anger makes a fool of a man."

And we set off down one little street, then up another, till we came out into the open fields. Night was approaching: if we had been taken again, it would have been a worse business than the first; and we knew that so well, that that night and the next day we dared not even enter the villages, for fear of being seized and brought back to our battalion.

At last, fatigue obliged us to enter an enclosure. It was very cold for the season; but we had become accustomed to our wretchedness, and we slept against a wall,

upon a bit of straw matting, just as in our own beds. Rising in the morning at the dawn of day, we found ourselves covered with hoar frost, and George, straining his eyes in the distance, asked: "Do you know that place down there, Christian?"

I looked.

"Why, it is Château-Salins!"

Ah! now all was well. At Château-Salins lived an old cousin, Desjardins, the first dyer in the country. Desjardins' grandfather and ours had married sisters before the Revolution. He was a Lutheran, and even a Calvinist; we were Catholics; but, nevertheless, we knew each other, and were fond of each other as very near relations.

From Macmillan's Magazine.
THE LEGAL PROFESSION IN AMERICA.

BY JAMES BRYCE.

AMONG English institutions there is perhaps none more curiously and distinctively English than our bar, with its strong political traditions, its aristocratic sympathies, its intense corporate spirit, its singular relation (half of dependence, half of patronage) to the solicitors, its friendly control over its official superiors, the judges. Any serious changes in the organization of such a body are sure to be symptomatic of changes in English society and politics at large, and must have an influence far beyond the limits of the profession. Such changes have of late years begun to be earnestly discussed; and in the prospect of their attracting much attention during the next few years, it becomes a matter of more than merely speculative interest to determine how far the arrangements of our bar are natural, how far artificial; or in other words, to ascertain what form the legal profession would tend to assume if it were left entirely to itself, and governed by the ordinary laws of demand and supply. Suppose a country where this has happened, where the profession, originally organized upon the English model, has been freed from those restrictions which ancient custom imposes on it here, — what new aspects or features will it develop? Will the removal of these restrictions enable it better to meet the needs of an expanding civilization? And will this gain, if attained, be counterbalanced by its exposure to new dangers and temptations? Such a country we find beyond the Atlantic: a country whose conditions, however different in points of detail from those

of England, are sufficiently similar to make its experience full of instruction for us.

When England sent out her colonies, the bar, like most of our other institutions, reappeared upon the new soil, and soon gained a position similar to that it held at home, not so much owing to any deliberate purpose on the part of those who led and ruled the new communities (for the Puritan settlers at least held lawyers in slight esteem), as because the conditions of a progressive society required its existence. That disposition to simplify and popularize law, to make it less of a mystery and bring it more within the reach of an average citizen, which is strong in modern Europe, is of course nowhere so strong as in the colonies, and naturally tended in America to lessen the individuality of the legal profession and do away with the antiquated rules which had governed it at home. On the other hand, the increasing complexity of relations in modern society, the development of so many distinct arts and departments of applied science, brings into an always clearer light the importance of a division of labour, and, by attaching greater value to special knowledge and skill, necessarily limits and specializes the activity of every profession. In spite, therefore, of the democratic aversion to class organizations, the lawyers in America soon acquired professional habits and an *esprit de corps* similar to that of their brethren in England; and some forty years ago they enjoyed a power and social consideration relatively greater than the bar has ever held on this side the Atlantic. To explain fully how they gained this place, and how they have now to some extent lost it, would involve a discussion on American politics generally. I shall not therefore attempt to do more than describe some of those aspects of the United States bar which are likely to be interesting to an English lawyer, indicating the points in which their arrangements differ from ours, and endeavouring to determine what light their experience throws on those weighty questions regarding the organization of the profession which are beginning to be debated among us.

In the United States, as in most parts of Europe and most of our colonies, there is no distinction between barristers and attorneys. Every lawyer, or "counsel," which is the term whereby they prefer to be known, is permitted to take every kind of business: he may argue a cause in the Supreme Federal Court at Washington, or write six-and-eightpenny letters from a

shopkeeper to an obstinate debtor. He may himself conduct all the proceedings in a cause, confer with the client, issue the writ, draw the declaration, get together the evidence, prepare the brief, and manage the trial when it comes on in court. Needless to add that he is employed by and deals with, not another professional man as our barristers do, but with the client himself, who seeks him out and makes his bargain directly with him, just as we in England call in a physician or make our bargain with an architect. In spite, however, of this union of all a lawyer's functions in the same person, considerations of practical convenience have in many places established a division of labour similar to what exists here. Partnerships are formed in which one member undertakes the court work and the duties of the advocate, while another or others transact the rest of the business, see the clients, conduct correspondence, hunt up evidence, prepare witnesses for examination, and manage the thousand little things for which a man goes to his attorney. The merits of the plan are obvious. It saves the senior member from drudgery, and from being distracted by petty details; it introduces the juniors to business, and enables them to profit by the experience and knowledge of the mature practitioner; it secures to the client the benefit of a closer attention to details than a leading counsel could be expected to give, while yet the whole of his suit is managed in the same office, and the responsibility is not divided, as in England, between two independent personages. Nevertheless, owing to causes which it is not easy to explain, the custom of forming legal partnerships is one which prevails much more extensively in some parts of the Union than in others. In Boston and New York, for instance, it is common; in the towns of Connecticut and in Philadelphia one is told that it is rather the exception. Even apart from the arrangement which distributes the various kinds of business among the members of a firm, there is a certain tendency for work of a different character to fall into the hands of different men. A beginner is of course glad enough to be employed in any way, and takes willingly the smaller jobs; he will conduct a defence in a police-court, or manage the recovery of a tradesman's petty debt. I remember having been told by a very eminent counsel that when an old apple-woman applied to his son to have her market-licence renewed, which for some reason had been withdrawn, he had insisted on the young man's

taking up the case. As he rises, it becomes easier for him to select his business, and when he has attained real eminence he may confine himself entirely to the higher walks, arguing cases and giving opinions, but leaving all the the preparatory work and all the communications with the client to be done by the juniors who are retained along with him. He is, in fact, with one important difference, to which I shall recur presently, very much in the position of an English Queen's Counsel, and his services are sought, not only by the client, but by another counsel, or firm of counsel, who have an important suit in hand, to which they feel themselves unequal. He may, however, be, and often is, retained directly by the client; and in that case he is allowed to retain a junior to aid him, or to desire the client to do so, naming the man he wishes for, a thing which the etiquette of the English bar forbids. In every great city, there are several practitioners of this kind, men who undertake only the weightiest business at the largest fees; and even in the minor towns court practice is in the hands of a comparatively small knot of people. In one New England city, for instance, whose population is about 50,000, there are, one is told, some sixty or seventy practising lawyers, of whom not more than ten or twelve ever conduct a case in court, the remainder doing what we should call attorney's and conveyancer's work.

Whatever disadvantages this system of one undivided legal profession has, and it will appear that they are not inconsiderable, it has one conspicuous merit, on which any one who is accustomed to watch the career of the swarm of young men who annually press into the Temple or Lincoln's Inn full of bright hopes, may be pardoned for dwelling. It affords a far better prospect of speedy employment and an active professional life, than the beginner who is not "backed," as we say, can look forward to in England. Private friends can do much more than with us to help a young man, since he gets business direct from the client instead of from an attorney; he may pick up little bits of work which his prosperous seniors do not care to have, may thereby learn those details of practice of which, in England, a barrister often remains ignorant, may gain experience and confidence in his own powers, may teach himself how to speak and how to deal with men, may gradually form a connection among those for whom he has managed trifling matters, may commend himself to the good opinion of older

lawyers, who will be glad to retain him as their junior when they have a brief to give away. So far he is better off than the young barrister in England. He is also, in another way, more favourably placed than the young English attorney. He is not taught to rely in all cases of legal difficulty upon the opinion of another person. He is not compelled to seek his acquaintances among the less cultivated members of the profession, to the great majority of whom law is not much of an art and nothing of a science. He does not see the path of an honourable ambition, the opportunities of forensic oratory, the access to the judicial bench, irrevocably closed against him, but has the fullest freedom to choose whatever line his talents fit him for. Every English lawyer's experience, as it furnishes him with cases where a man was obliged to remain an attorney who would have shone as a counsel, so it certainly suggests cases of persons who were believed, and with reason believed, by their friends to possess the highest forensic abilities, but literally never had the chance of displaying them, and languished on in obscurity, while others every way inferior to them became, by mere dint of practice, fitter for ultimate success. Quite otherwise in America. There, according to the universal witness of laymen and lawyers, no man who is worth his salt, no man who combines fair talents with reasonable industry, fails to earn a competence and to have, within the first six or seven years of his career, an opportunity of showing whether he has in him the makings of something great. This is not simply due, as might easily be supposed, to the greater opportunities which everybody has in a new country, and which make America the working man's paradise, for, in the eastern States at least, the professions are pretty nearly as much crowded as they are in England; it is owing to the greater variety of practice which lies open to a young man, and to the fact that his patrons are the general public, and not, as in England, a limited class who have their own friends and connections to push. Certain it is that American lawyers profess themselves unable to understand how it can happen that deserving men remain briefless for the best years of their life, and are at last obliged to quit the profession in disgust. In fact, it seems to require an effort of politeness on their part to believe that such a state of things can exist in England and Scotland as that which we have grown so familiar with that we accept it as nat-

ural and legitimate. A further result of the unity of the whole profession may be seen in the absence of many of those rules of etiquette which are, in theory at least, strictly observed by the English lawyer. It is not thought undignified, except in the great cities of the eastern States, for a counsel to advertise himself in the newspapers: in Canada, as well as in the States, one frequently sees respectable firms soliciting patronage in this way. A counsel is allowed to make whatever bargain he pleases with his client; he may do work for nothing, or may stipulate for a commission on the result of the suit, or even for a certain share in whatever the verdict produces—a practice which is open to grave objections, and which, in the opinion of more than one eminent American lawyer, has produced a good deal of the mischief which caused it to be seventeen centuries ago prohibited at Rome. The sentiment of the Boston bar seems to be on the whole opposed to the practice, but, so far as one can learn, there is no rule against it there or elsewhere. A counsel can bring an action for the recovery of his fees, and, *pari ratione*, can be sued for negligence in the conduct of a cause.

Respecting the condition of legal education, a subject on which so much has been said and written in England these last few months, it is hard to say anything general which shall also be true. (Most of our errors about the United States arise from our habit of taking what is true of some one place to be true generally. New York, for instance, is supposed by most English visitors to be typical, which is a good deal more absurd than for a stranger to take Liverpool as typical of England.) Like ourselves, the Americans have no great feeling for *die Wissenschaft*, and law is with them, as in England, much more an art than a science. One hears very little said about the value of studying it theoretically, nor is any proof of such study required from candidates for admission to the profession. But as a matter of fact the provision for instruction in law is as good, or better, all things considered, than in England, and is certainly more generally turned to account. Harvard, which stands in the front rank of American Universities, has a most efficient law-school, with three permanent professors, and several (at present four) occasional lecturers, among them men of the highest professional reputation, who undertake the work more for the love of it than for the inadequate salaries offered, and worthily sustain the traditions of Judge Story, some of whose great

works were delivered as lectures to a Harvard class.* In New York, the institution called Columbia College is fortunate in possessing a professor of great legal ability and an extraordinary gift of exposition, whose class-rooms, like those at Harvard, are crowded by large and highly intelligent audiences. Better law-teaching than Mr. Dwight's it is hardly possible to imagine; it would be worth an English student's while to cross the Atlantic to attend his course. Many of the lesser Universities and colleges have attached to them law-schools of greater or less fame, but sufficient to bring some sort of instruction within the reach of any one who cares to have it.† The teaching given is of a definitely practical character, and bears only on our English and American Common Law and Equity. Jurisprudence, using the term to mean the science of law in general, is not recognized as a subject at all; nor is the Civil Law regularly studied anywhere in the northern or middle States; international law, where taught, is usually deemed a part of the literary or historical, not of the legal course. Attendance on law classes is purely optional, so that the demand which exists may be

taken to prove the excellence of the article supplied.

The right of admitting to practise is in all or nearly all the States vested, or supposed to be vested, in the judges, who usually either delegate it to the bar, or appoint on each occasion one, two, or three counsel to examine the candidate. Occasionally, as for instance in Philadelphia, he is required to have read for a fixed period in some lawyer's office, but more commonly nothing more than an examination is demanded, and the examination, nowhere severe, is often little better than a form. In Massachusetts applicants may be, but are rarely, plucked; in New York, less scrupulous in this as in most respects than other cities, the whole thing is said to be a farce, and people whose character and whose attainments are equally unsatisfactory, find their way into the profession. Unless the opinion of their fellow-citizens does them great injustice, many of the New York judges are not quite the men to insist on a rigid standard of professional honour and capacity. An admission in any one State gives a title to practise within its limits only; but practically, he who has been admitted in one State finds no difficulty of being admitted *pro forma* to the court of another in which he may happen to have a case. On the whole it may be said that very little care is taken in America to secure the competence of practitioners. In this, as in other matters, the principle of *laissez faire* is trusted to, and the creditably high level of legal knowledge and skill in the best States is due rather to a sense of the value of systematic instruction among the members of the profession itself than to the almost nominal entrance examination. The experience of America seems on the whole to confirm the main conclusion of Mr. Dicey's singularly clear and vigorous article* on legal education, that our chief aim ought to be to provide thoroughly good instruction in law, and that examinations should rather be used to test this instruction than trusted to as in themselves sufficient to produce a body of competent practitioners.

The strictly practical character of the legal instruction given, good as much of it is, has been followed by one unfortunate result. There is but a slight interest in the scientific propriety of law, or in the discussion of its leading principles; an

* "The course of study in the Harvard Law School will comprise the following subjects, of which some are required and others elective:

REQUIRED STUDIES.

"1. Real Property. 2. Personal Property. 3. Contracts. 4. Torts. 5. Criminal Law and Criminal Procedure. 6. Civil Procedure at Common Law. 7. Evidence.

ELECTIVE STUDIES.

"*Commercial Law.*—1. Sales of Personal Property. 2. Bailments. 3. Agency. 4. Negotiable Paper. 5. Partnership. 6. Shipping, including jurisdiction and procedure in Admiralty. 7. Insurance. "*Equity, Real Property and kindred subjects.*—8. Real property. 9. Evidence. 10. Jurisdiction and Procedure in Equity. 11. Principal and Surety including guarantee. 12. Domestic relations. 13. Marriage and Divorce. 14. Wills and Administration. 15. Corporations. 16. Conflict of Laws. 17. Constitutional Law. 18. Debtor and Creditor, including Bankruptcy.

"All the required subjects, and as many as possible of the elective subjects (eleven in 1870-71), will be taught every year."—(Prospectus of the Harvard University Law School, Cambridge, Mass.)

† For instance, the State University of Michigan, at Ann Arbor (a University which has just signalized itself by admitting women to its classes on equal terms with men), has a law-school with four professors, who lecture on the following subjects:—

"(a.) On Equity and Equitable Remedies, Criminal Law, United States Jurisprudence, and International Law.

"(b.) On Contracts, Bills and Notes, Partnerships, and the Law of Corporations and Agency.

"(c.) On Constitutional Law, Estates in Real Property, The Domestic Relations, Wills, &c., and Uses and Trusts.

"(d.) On Pleading and Practice, Evidence, Personal Property, Easements, and Bailments."

Not a very philosophical distribution of topics.

* In the December number of this Magazine. I may add, however, that the entrance examinations in America seem to be much laxer than could be wished, and that most of the leading lawyers desire them to be made more strict.

American lawyer seems quite as unwilling to travel out of the region of cases as any disciple of Lord Kenyon or Mr. John William Smith could have been. More has been done in the way of law reform there than here in England, for the Americans are more impatient of practical inconveniences than we are, more dexterous in getting rid of them, and less hampered by the complexity and slowness of their political machinery. Most, if not all, of the northern States have codified their statutes, have united legal, and equitable jurisdiction in the same court, and greatly simplified the law of real property. But this has all been done in a sort of rough and ready way, with no great attention to elegance of form. The codification of case-law has (I speak again of the northern and eastern States) been very little discussed, and the attempts made are, in a scientific point of view, far from satisfactory. Among the individual American lawyers there are many men of the highest powers — men whose learning and acumen would have put them in the forefront of the bar in England had they lived here, and enabled them to rival the best of our English judges. But those who take a speculative interest in law, and study its philosophy and its history, seem to be extremely few, fewer than in England. As every lawyer practises both law and equity, and as the bulk of the law altogether is much smaller than in England, an average New England town-practitioner has probably a better general knowledge of the whole field than a person of corresponding talents and standing in this country, and is probably smarter and quicker in using his knowledge. On the other hand, there are fewer men who are masters of a special department; the judges are in most States (Massachusetts is a conspicuous exception) inferior people, whose decisions carry little moral weight, and before whom counsel naturally acquire a comparatively slovenly habit of arguing. There is, therefore, some danger that the case-law may gradually decline, may grow looser and less consistent; while from unlearned popular bodies, such as the State Legislatures, no finished legislation can be expected. In this condition of things, the value not only of the reports of the Federal Courts, whose judges are mostly persons of some mark, but of our own English reports, is very great. Pretty nearly every lawyer of standing takes in the *Law Reports* as they appear, and the decisions contained in them, although not legally binding, are cited with as much readiness and enjoy as

much moral weight as they do here. An English judge can have no more legitimate subject for pride than in reflecting that every decision he gives — I might say, every dictum he utters — is caught up, and bears with it almost the force of law over the vast territory that stretches from the Bay of Fundy to the Golden Gate.

As in the United States the bar includes the whole mass of the attorneys as well as those whom we should call barristers, its social position ought to be compared with that of both the branches of the English profession taken together. So regarded, it seems to be somewhat higher than in England; naturally enough, when we remember that there is no hereditary aristocracy to overshadow it, and that in the absence of a titled class, a landed class, and a military class, the chief distinction which common sentiment can lay hold of as elevating one set of persons above another is the character of their occupation, and the degree of culture and intelligence which it implies. Such distinctions, however, carried more weight in days when society was smaller, simpler, and less wealthy than it has now become. The growth of great mercantile fortunes has in America, as in England, and perhaps even more notably there, lowered the relative importance and dignity of the bar. An individual merchant holds perhaps no better place compared with an average individual lawyer than he did forty years ago; but the millionaire is a much more frequent and potent personage than he was then, and outshines everybody in the country. Now and then a great orator, or a great writer achieves fame of a different and higher kind; but in the main it is the glory of successful commerce which in America and Europe now draws admiring eyes. Wealth, it is true, is by no means out of the reach of the leading lawyers: yet still not such wealth as may be and constantly is amassed by contractors, share speculators, hotel proprietors, newspaper owners, and retail storekeepers. The incomes of the first counsel in cities like New York are probably as large as those of the great English leaders; one firm, for instance, is often mentioned as dividing a sum of 250,000 dollars a year, of which the senior member may probably have 100,000. It is, however, only in two or three of the greatest cities that such incomes can be made, and one may doubt whether there are ten or fifteen counsel in the whole country who, simply by their profession, make more than fifty or sixty thousand dollars a year.

Next after wealth, education and power may be taken to be the two elements or qualities on which social standing in a new and democratic country depends. As respects education, the bar stands high—higher, it would seem, than either of the two other learned professions, or than their new sister, journalism. Most lawyers have had a college training, and are by the necessity of their employments persons of some mental cultivation; in the older towns they (in conjunction with the professors of the University, where there is one) form the intellectual *élite* of the place, and maintain worthily the literary traditions of the Roman, French, and English bar. It is worth noting, that the tendency of their professional training is, there as well as here, to make them conservative in professional matters. They have the same dislike to theorists, the same attachment to old forms, the same cautiousness in committing themselves to any broad legal principle, which distinguish the orthodox type of the English lawyer, and tend to reproduce faithfully on the shores of the Mississippi the very prejudices which Bentham assailed eighty years ago, at a time when those shores were inhabited only by Indians and beavers. In Chicago, a city of yesterday, special demurrers, replications *de injuriâ*, and all the elaborate formalities of pleading which were swept away by our Common Law Procedure Acts, flourish and abound to this day. As for power, the power of the bar in politics is considerable, although the rise of a class of professional politicians has of late years weakened it. The affairs of private persons are of course, to a great extent, in their hands; but the simpler state of the law, especially the law of land, and the absence of complicated settlements, make a man rather less dependent on his solicitor than an English country gentleman is almost certain to be. The machinery of local government is largely worked by the lawyers, and the conduct of legislation (so far as it is not of a purely administrative character, or does not touch on popular questions) is left to them; that is to say, if any permanent change is to be made in the private law of the community, or in procedure, the lay public can hardly help trusting them. When they act together as a class upon class questions, they can put forth very great strength. In some States it is entirely the will of the lawyers that has delayed law reforms, and in a good many, where the judiciary is elective, a fairly respectable selection of judges is

ensured by the joint action of the bar, whose nominees are usually accepted by the bulk of sensible lay citizens. This happens, one is told, in Philadelphia, as well as in Chicago and many cities of the West.

The decline of the influence of the bar in politics opens up a group of historical questions which one can only touch on, and which a stranger can indeed hardly hope to have mastered. In the earlier days of the Republic lawyers played a great part, as lawyers have done wherever free governments exist. So in England, long before the days of Somers; so still more conspicuously in France, most of the leaders whom each revolution has brought to the top having been men of the robe, as Grévy, Favre, Gambetta, and other people of eminence are now. In America, most of the Presidents, indeed nearly all, except the soldiers, have been lawyers; witness, among others, the last four, Fillmore, Buchanan, Lincoln, and Andrew Johnson. So too, were Webster and Clay; and so, to come down to the notable and the notorious men of to-day, are Seward, Sumner, John T. Hoffman, B. F. Butler, A. O. Hall. The absence of any permanently wealthy and influential class, such as the landed gentry form in England, gives the American advocate a special advantage in public life, over and above those which he derives from his practice in speaking and his habit of dealing with legal questions; and he finds another in the fact, that such constant reference is made in American politics to the written Constitution. Those who have been trained to interpret it are allowed to claim the position of political hierophants, the stewards of sacred mysteries.

This predominance belonged to the lawyers in De Tocqueville's time, and he rejoiced to see it. Since then, however, great changes have passed upon the country. Politics have become a profession—latterly, a gainful profession—and the more gainful the less honourable. The great extension of public works, especially of railways, has put immense pecuniary interests at the disposal of Congress, and of the State Legislatures. The unfortunate practice of making all the appointments in the Civil Service temporary, and giving them for political reasons, has become established, and various other ways have been discovered of making politics pay. The formation of a class of men who devote themselves to politics solely (some of whom, of course, were originally lawyers) has done a good deal to jostle the

legitimate lawyers out of political life, and probably something also to lower the average tone of those who still mingle in it. The extent to which this evil—for such it must be called—prevails, varies in different places according to the characters of the population. New York is, of course, conspicuously the worst; the most prominent leaders of the Irish rabble which has latterly governed it being men whom, whatever their profession, no respectable lawyer would recognize as social equals. There are, however, a good many other places where a barrister of high character and legal note would feel that, in throwing himself into politics, he was entering a distinctly lower arena than that of the law-courts, and undertaking to deal with people among whom he must not expect to find the same sense of honour and the same mental refinement which he was accustomed to among his professional brethren. The men who now lead the profession in the United States certainly do not carry their due weight in politics.

Whether it is true, as one is so often told in America, that the corruptions of politics have affected the tone of the bar itself, is a question on which a stranger's impressions are worth little or nothing. In America, as in England, there is a considerable tendency to exaggerate the present evils of the country, and one never knows how much deduction to make. There is no doubt, however, that the distinctive character of the bar, as a profession, separated by its usages from the rest of the community, and bound by peculiar rules, is much less marked than in England. The levelling and equalizing tendency which has been already noted as potent in modern civilization, is most potent under democratic institutions; the spirit which has destroyed class privileges is hostile to anything which marks off any set of men from the rest of the community, and does not spare even a professional organization in such slight external badges of caste as a professional dress. Neither wig, bands, gown, nor any other peculiar dress, is worn by the American barrister, nor even by the American judge, save only by the members of the Supreme Court, who appear in gowns when they sit at Washington.*

This point is forcibly put by an able writer in the *American Law Review* for April 1861:—

“Lawyers are rightly called the most conservative class in a democracy, and their influence

* Similarly, academical dress has disappeared from the American Universities.

in the government pronounced to be the most powerful existing security against its excesses. It follows that the class of politicians who profit by those excesses must be hostile to the legal profession, and the antagonism is none the less real for being unavowed. The people are never jealous of lawyers, they trust the legal profession because its interest is really the same with their own, and because its intelligence guides them best in pursuing that interest. In doing so it thwarts the demagogue, whose interest it is to flatter popular passion or vanity. The French publicist held the opinion that lawyers would always maintain the lead in a democracy. He could not forecast the influences which in the last quarter of a century have so enormously increased the control of mere politicians. . . . The democratic principle is a slow strong solvent of forms and symbols,—so strong that it may even be artfully misdirected to attack the substance and weaken the reality of the thing symbolized. Therefore much of the democratic teaching of the day encourages a sort of unformed notion that the destruction of class peculiarities will have a magical power to efface differences of nature and make all men alike wise, good, and happy. Such a notion easily breeds the mistake of regarding superior morality and intelligence as an unwarranted privilege. Any eminence is undemocratic, the Cleon of the hour exclaims; superiority of any kind is treason to the great Declaration; and any calling or profession that rests upon such superiority, and maintains and protects itself by cherishing it, is unconstitutional, or we will speedily make it so.”

The subject of the article from which I quote is the formation of the Bar Association of New York, and the somewhat gloomy views it expresses seem to be suggested chiefly by the phenomena of that city, which, as has already been remarked, are quite exceptional. It is true, however, that throughout the States the bar is very much less of a caste or guild than it is in England, and that its members are less sensitive to professional opinion. The circumstances of the country, and the pervading faith in the principle of *laissez faire*, have prevented the establishment of any system of professional government: there is no tribunal corresponding to our Inns of Court. The control, which is by law vested in the State judges, is not and could not well be used to much purpose. Even so apparently trivial a circumstance as the absence of a peculiar costume has contributed to weaken the feeling of the collective dignity and responsibility of the profession, and of the duty which each member owes to the whole body—has increased that perilous sense of the loss of the individual in the mass which is so marked in huge and swiftly changing communities. I am far from meaning to say

that, except perhaps in such a place as New York, the want of a stricter system has as yet been injuriously felt. Where the tone of society is high and pure, as it is in by far the greater part of the country, and conspicuously in New England and the best of the western States, the tone of the bar is high and pure also. But where bad symptoms have shown themselves, there have been no legal and efficient means of dealing with them.

This state of things has led, in these last few months, to the formation in New York City of a voluntary organization intended to foster the *esprit de corps* of the profession, and enable it to act more effectively in the pursuit of common objects, and above all (although for obvious reasons this has not been prominently put forward) to exercise a sort of censorship, by excluding or expelling unworthy persons from its membership. So far, this Bar Association is a mere club, with no official position; but it is hoped that it may some day acquire regular disciplinary powers. Its leaders are men of the highest character and abilities, and the example they have set in founding it has already been followed by the establishment of similar organizations in Pennsylvania and Maryland.

One naturally asks, what is there that we in England may learn from a survey of the condition and prospects of our profession in the United States? Many of its characteristics are intimately bound up with social and political phenomena unlike those of England, and are therefore to us matters rather of speculative than of practical interest. Others, as for instance the results attained by the schools of law, which have a considerable influence in elevating the tone of the profession, as well as in making it more efficient, deserve to be carefully noted with a view to imitation. And a great deal of light is certainly thrown by a study of the state of things in America upon a question which has already been raised in this country, and is likely to be more and more eagerly discussed, especially if our courts are still further localized, — the question whether or no the present separation between barristers and attorneys ought to be maintained. Before concluding, a few words may be said upon this matter.

There are two sets of persons in England who complain of our present arrangements — a section of the solicitors, who are debarred from the exercise of advocacy, and therefore from the great prizes of the profession, as well as, to a

considerable extent, from public life; and a section of the junior bar, whose members, depending entirely on the patronage of the solicitors, find themselves, if they happen to have no private connections among that branch of the profession, absolutely unable to get employment, since a strict code of etiquette forbids them to undertake certain sorts of work, or to do work except on a fixed scale of fees, or to take work directly from a client, or to form partnerships with other counsel. An attempt has been made to enlist the general public in favour of a change, by the argument that law would be cheapened by allowing the attorney to argue and carry through the courts a cause which he has prepared for trial; but so far the general public has not responded.

There are three points of view from which the merits or demerits of a change may be regarded. These are the interests respectively of the profession, of the client, and of the nation and community at large.

As far as the advantage of the profession, in both its branches, is concerned, the example of the United States seems to show that the balance of advantage is in favour of uniting barristers and attorneys in one body. The attorney has a wider field, greater opportunities of distinguishing himself, and the legitimate satisfaction of seeing his cause through all its stages. The junior barrister finds it far easier to get on, even as an advocate, and, if he discovers that advocacy is not his line, is able to subside into the perhaps not less profitable or agreeable function of a solicitor. The senior barrister or leader does no doubt suffer, for his attention is more distracted by calls of different kinds; he is sometimes obliged even if he has junior partners, to take up petty work for the sake of keeping a client; he finds it less easy to devote himself to a special department of law and elect to shine in it; he assumes all the weight of responsibility for the whole conduct of the case, which with us is so divided between counsel and attorney that either can charge a miscarriage on the other.

The gain to the client is, perhaps, even clearer; and even those (few, very few) American counsel who say that for their own sake they would prefer the English plan of a separation, admit that the litigant is more expeditiously and effectively served where he has but one person to look to and deal with throughout. It does not suit him, say the Americans, to be lathered in one shop and shaved in another; he likes to go to his lawyer, tell

him the facts, get an off-hand opinion, if the case be a fairly simple one (as it is nine times out of ten), and issue his writ with some confidence: whereas under the English system he would either have to wait till a regular case for the opinion of counsel was drawn, sent to a barrister, and returned written on, after some days, or else take the risk of bringing an action which turned out to be ill-founded. It may also be well believed that a case is, on the whole, better dealt with when it is kept in one office from first to last, and managed by one person, or by partners who are in constant communication. Mistakes and oversights are less likely to occur, since the advocate knows the facts better, and has almost invariably seen and questioned the witnesses before he comes into court. It may indeed be said that an advocate does his work with more ease of conscience, and perhaps more *sang-froid*, when he knows nothing but his instructions. But American practitioners are all clear that they are able to serve their clients better than they could if the responsibility were divided between the man who prepares the case, and the man who argues or addresses the jury.

The client, however, is also a member of the nation, and the nation has an interest, over and above that which some of its members have as litigants, in the administration of justice and the well-being of the legal profession. It is concerned to have the scientific character of the law maintained and the work of legislation done, not only with substantial good sense, but with elegance and symmetry of form. It is also concerned to see that those whose occupation makes them the natural guardians of the law and a check upon any misconduct of the bench, should maintain their influence and exercise it with zeal and public spirit. The political functions of the legal profession, important in all States, are perhaps most important in a democracy, where it is an element of permanence, advising and controlling the ever-fluctuating currents of popular opinion. These functions cannot be rightly discharged unless the profession sets an example to the country of purity, dignity, and self-control. Now the most important part of the profession, for political purposes, is that part, corresponding to the bar in the English sense of the term, which is in direct contact with the judges which conducts causes in the courts, which cultivates oratory, and thereby influences representative assemblies and public meetings. This comparatively small body can, owing to

its very smallness, be kept under a strict control, may cherish a strong professional feeling, and may therefore be with safety allowed certain exceptional privileges. In the immense mass of the whole profession it is all but impossible to maintain an equally high standard of honour and duty. The scientific character of the law, its precision and philosophical propriety, may perhaps be best secured by setting apart (as in England) a section of the profession who can the better devote themselves to it in that they are not distracted by undertaking work which is not properly legal, such as is much of the work done in an attorney's office. The conscience or honour of a member of either branch of the profession is exposed to less strain where the two branches are distinct. The counsel is under less temptation to win his cause by foul means, since he is removed from the client by the interposition of the attorney and therefore less personally identified with the success of the client's scheme. His relation to the judge is a more independent one than if his fee were to depend on his success in the suit, as it does where a share of the proceeds or a commission on the proceeds is given to the advocate, a practice hard to check where the advocate is also the attorney: he is therefore less likely to lead a judge astray or take advantage of a judge's corruption. He probably has not that intimate knowledge of the client's affairs which he must have if he had prepared the whole case, and is therefore less likely to be drawn into speculating, to take an obvious instance, in the shares of a client company, or otherwise playing a double and disloyal game. Similarly it might be shown that the attorney also is less tempted than if he dealt immediately with the judge, and were not obliged, in carrying out the schemes of a fraudulent client, to call in the aid of another practitioner, amenable to a strict professional discipline. And lastly, it is urged that where, as in England and generally in America, judges are taken exclusively from the bar (whereas on the Continent the judicial profession is distinct from that of advocacy), it becomes specially important to provide that no one shall mount the bench who has not proved his talents as an advocate, and acquired in that capacity the confidence of the public.

Such are some of the arguments which one hears used in America as grounds for preferring the double system, and they are worth considering, although it may well be thought that their force would be greatly diminished if some more effective tribunal

existed than now exists there for trying and punishing professional offences.

Which way the general balance of advantage lies is too intricate a question to be discussed at the end of a paper. But most people will admit that our present English rules are not satisfactory, and that the example of America is on the whole in favour of a somewhat freer system. It has, for instance, been suggested that there should be an easier and quicker passage from either branch of the profession to the other than is now permitted here; that barristers should be allowed to be retained directly by the client, even though he must have the attorney's part of the work done by an attorney; that barristers should be permitted to form partnerships among themselves, and to do work for lower fees than etiquette now allows, even gratis if they wish, maintaining however the prohibition to bargain for a payment by the result. It is argued, and with much force, that there is no reason why students preparing for the one branch of the profession should not be educated along with candidates for the other, and allowed to compete in the same examinations. In any case, it is pretty clear that a change of some kind will come, or rather that the change already begun by the establishment of the County Courts will be carried further. There is still time to provide that such change should take a good form, and should not consist as some reformers wish it to do, simply in the absorption of the bar by the attorneys. This, I venture to think, would be a misfortune, not perhaps for the present members of the bar, but for the country at large.

Our English bar and bench have been in so wholesome a state for the last two centuries, despite the political crises we have passed through, that we are perhaps too apt to fancy such a state of things normal, and to underrate the dangers of a lapse. The circumstances of New York City, whose judges were forty years ago as reputable as those who sit at Westminster is a serious warning that the evils whose existence we have so often heard of in Spain, Italy, and France, may come to prevail in English-speaking communities also. As fresh pestilences arise when the old forms of disease seem worn out, so the perpetual vices of mankind assume a new shape in a new era, being in substance still the same. In the Middle Ages the perversions of justice were mostly due to the oppressions of a king, or of powerful

nobles; now fraud takes the place of violence, and we have to fear the influence of huge masses of ignorant men swayed by unscrupulous leaders, and of prodigious accumulations of wealth in the hands of individuals and companies. Fortunately, the danger in America is less than it might appear, less than it would be in a small country like England. The territory is so extensive, the different States so independent, and in many respects so unlike one another, the general tone of the population so healthy, that the infection need not spread quickly, and may be checked (as at this moment in New York) before it has spread far. The moral, however, which the bare existence of such mischiefs teaches, is none the less grave. That moral is, in its most general form, the extreme importance of repressing corruption in all its forms; and in doing so, of not simply trusting to public opinion, however sound for the moment, but of providing some regular means of noting and pouncing upon the evil in its first beginnings. More particularly, it suggests to us the desirability of doing everything to enhance the dignity of the judicial office, and to quicken in its holders a sense of their responsibilities; and it warns us to keep within moderate limits the jurisdiction of local courts, whose judges have not that protection against dangerous influences which their social position, their incomes, and a watchful public opinion give to the eminent men who sit in the Superior Courts of Common Law and Equity.

The example of our country is of the more consequence, as it influences so many communities elsewhere, and especially in the colonies, — communities exposed to dangers and temptations similar to those of New York. That its example is on the whole so good is legitimate matter for satisfaction. Much has been said lately of the decadence of England; nor is there any harm in having our weaknesses pointed out, so long as suspicion is not thereby sown between ourselves and our true natural allies. But no country can be in a state of decay while it continues to uphold public purity — the purity of the bar, of the bench, and of political life. Such purity is not only a chief source of a people's happiness, but the great source of its strength; for it is the foundation of that mutual confidence between citizen and citizen, between the governors and the governed, on which, in moments of national peril, everything depends.

From The Saturday Review.

THE STORY OF THE TICHBORNE CASE.

THE Claimant in the Tichborne case has submitted to a non-suit in his action against the Tichborne family, and although he is technically at liberty to reopen the question on payment of the expenses of the suit just closed, the intimation of the jury that they had heard sufficient evidence practically amounts to a verdict against him. The testimony produced during a protracted trial of 103 days would fill a moderate-sized library, but we will endeavour to compress it into a brief and connected narrative, with a view to illustrate the origin and development of what appears to be one of the most daring and extraordinary impostures which have ever been brought to light.

First, there is what a dramatist would call the prologue of the play. The Tichbornes are an old and distinguished family. If you turn to any guide-book of Hampshire you will find that Tichborne Park, is supposed to have been in the hands of Tichbornes from before the Conquest; the baronetcy dates from the reign of James I. The estates are valued at some 24,000*l.* a year, though at present heavily mortgaged. In 1854 Sir Edward, who had added the name of Doughty to that of Tichborne was still alive; but he had no son, and Mr. James Tichborne was his heir. Mr. James Tichborne had married a daughter of Mr. Seymour, who had been born and brought up in France, and who was essentially a Frenchwoman. The marriage was not a very happy one. Mr. Tichborne was apparently a warm-hearted, generous man, but violent in temper; his wife was flighty and eccentric, and inspired by a feeling of intense suspicion and hostility towards her husband's family. Their eldest son, Roger, inherited some of the peculiarities of both parents. He was shy, whimsical, and impulsive, of weak character and moderate intelligence; he had been educated in a loose, patchwork kind of way — first under French tutors, then for three years with the Jesuits at Stonyhurst; and afterwards he had been for three years in the army. In appearance he was slight and somewhat insignificant. Without being a student, he was fond of reading, and had a good stock of general information. His letters show that, when travelling, he liked to look up the history of any place he visited. He spoke French better than English, but he wrote a very fair English letter, and had some knowledge of Latin and natural science. Stonyhurst probably did a good deal to polish him up; but his

broken English and certain oddities of manner exposed him to some ridicule when he joined his regiment, the Carabiniers. He was a tempting subject for little jokes, which were sometimes carried too far; but, on the whole, he seems to have been pronounced a good fellow by his companions, and to have passed muster as an efficient, though not a smart, officer. When stationed with his regiment in Ireland, and also during his visits to England, he went a good deal into society, and knew how to bear himself like a gentleman. The domestic storms amid which he had been brought up had left a painful impression on his mind, and he was more at home at his uncle's, with Lady Doughty and his cousin Kate, than with his own parents. He was after his father, the next heir to the baronetcy, and Sir Edward took a paternal interest in him; but when it was discovered that the cousinly regard between Roger and his daughter was passing into something deeper — at least on Roger's part — Sir Edward strongly discouraged it. He objected to the marriage of cousins, and besides, Roger's character was not yet quite settled enough for him to have full confidence in it. He was young and certain bad habits, such as drinking too much, might pass away or might be confirmed. It was arranged after a time that if at the end of a year or two there were no other objections to a marriage, that of cousinship should not be pressed. Sir Edward and Lady Doughty showed the utmost affection for their nephew, yet he could not but feel that, even though they might consent to the match, they would prefer that it should not take place. It was under the influence of this disappointment that he threw up his commission and resolved to visit South America. He parted on good terms with all the family, wrote to his mother, aunts, and other friends from different points on his journey, and pressed them to write in reply. He looked forward to returning after a year or two, and desired to have his name put up at the Travellers' Club. He had arrived at Valparaiso in June 1853, had made an expedition to the Cordilleras, and visited Santiago, Buenos Ayres, and other places. From Buenos Ayres he wrote on February 20, 1854, to an intimate friend, Vincent Gosford, still harping on Kate Doughty, deploring the discord in his own home, and congratulating himself on being out of the way for a time now that Sir Edward was dead and that his father had succeeded him. Except for his fears of his cousin's marriage, he wrote in good spirits,

and as if enjoying the independence and variety of his life abroad. On March 12 he wrote to Lady Doughty from Monte Video in a similar strain. He was going to Rio, thence up the Amazon, and then to Jamaica and Mexico. He was most anxious for letters, and gave repeated directions where they were to be addressed to him. On April 20 he embarked at Rio in the *Bella* for New York. Six days afterwards a long-boat, bottom upwards, marked on the stern, in yellow letters, "*Bella*, of Liverpool," was picked up at sea by a passing vessel, which also, near the same place, fell in with some broken spars, a round-house, and some straw bedding. The owners of the *Bella* had no doubt that she was lost, with all on board; the underwriters paid the insurance; Roger Tichborne's will was duly proved, and on his father's death the inheritance passed to his younger brother, Alfred, who also dying in the beginning of 1886, left a posthumous son to enjoy the baronetcy and estates.

Years had passed over without anything occurring to disturb the belief that Roger had perished in the *Bella*. The Dowager, Roger's mother, was the only person who refused to accept this conclusion. She had, as she said, "a settled presentiment" that he must somehow have been saved, and that she should see him again. She was constantly talking of him, and even started inquiries about him in Australia. Once she questioned a sailor who came begging to Tichborne Park and who was ready enough to say that he had been in Australia, and had heard of the crew of a ship having been picked up at sea and brought to Melbourne, and that he rather thought the name of the ship was the *Bella*. After her husband's death she became more anxious and excited on the subject. She advertised for Roger, or for any information as to the crew of the *Bella*, in the *Times* and in various Australian and colonial papers. It became a kind of standing joke in the servants' hall, and among the people round Tichborne Park. More than once there was a report that Roger had been found, but nothing ever came of it. She began advertising at least as early as 1863. The advertisements caused a good deal of talk, of course; they were copied into many papers, and gave rise to innumerable paragraphs. In 1865 the Dowager had got into communication with Mr. Cubitt, who had a Missing Friends' Agency in Sydney, and who readily undertook to find the missing man if he was to be found at all. He advertised on his own account in the Australian

papers, giving the Dowager's description, only somehow leaving out the word "thin." By a remarkable coincidence, he had no sooner taken the job in hand than an old friend of his at Wagga-Wagga wrote to say that he had "spotted" the man; and immediately the Claimant appears upon the stage. Mr. Gibbs, Cubitt's correspondent at Wagga-Wagga, had there made the acquaintance of a slaughterman who went by the name of Tom Castro, and whose pipe he one day observed bore the initials, scratched on it with a knife, "R. C. T." Mrs. Gibbs had previously called her husband's attention to the advertisements for Roger Charles Tichborne, and Gibbs at once put the two things together. Castro had about the same time been in the habit of cutting the same initials on mantel-pieces and every bit of wood that came in his way. He, too, had previously seen one of the advertisements. A Hampshire man had shown it to him, and may possibly have added some remarks of his own, either as to the old Dowager's notorious craziness on this subject, or as to Castro's likeness in expression or feature to the missing Roger. Castro, having placarded his initials in this conspicuous manner, affected to be very much annoyed that Gibbs should have "spotted" him, but allowed himself to be persuaded that he had better surrender his secret and go back to his mother. It is clear from the correspondence which has been produced in this case that the Dowager communicated a good deal of information about Roger to Cubitt, through whom it may have reached Castro, and also that Castro at first went altogether astray in his demonstration of his identity with Roger. To convince the Dowager, he mentioned two circumstances known only to her and to himself — "the brown mark on my side, and the card case at Brighton." But, as it happened, the brown mark was Castro's exclusive property, Roger never having had anything like it; and as for the card case — referring apparently to a well-known trial for cheating at cards, with which Roger had nothing whatever to do — the Dowager entreates that nothing more may be said about it, as it would turn everyone against him. In another letter he asked after Roger's grandfather, who died before he was born. He also said that he had been educated by the Jesuits in Paris, instead of Stonyhurst, and that he had been a private in the Guards for a fortnight. The correspondence shows that the Dowager was constantly pointing out mistakes of this kind;

and yet that she was at the same time determined to accept Castro as her son. "You do not tell anything at all about my son," she wrote to Cubitt, "and I hardly know anything at all about the person you suppose to be my son;" yet in the same envelope she encloses a letter to the supposed son, taking him to her heart as her "dearest and beloved Roger," and begging him to come to her. While he is making up his mind, not without much hesitation, whether he should accept her invitation, it may be worth while to observe what sort of reputation, as appears from the evidence taken by the Australian Commission, Tom Castro at this period enjoyed among those who knew him.

He had been for some time at Wagga-Wagga, and was allowed to be a good slaughterman. He was fond of "blowing" or boasting about himself, declaring at one time that his mother was a duchess, and at another time that he was a peer of the realm. Occasionally men came to Wagga-Wagga who had known Castro in other parts. It appears that he had led a wandering and uneasy life, alternating between stock-riding, butchering, and horse-stealing. In Gippsland "he had bought some horses that turned out to be stolen, and he was afraid he could not find the party he bought them of." At Reedy Creek he got into another scrape with horses. Down to this time he was known as Arthur Orton, but he appeared at Wagga-Wagga as Castro. Two of his mates had been hanged; another had been shot by the police; "Ballarat Harry" had been murdered by a friend of his own and Castro's after spending an evening with the latter. A lady, satirically called "Gentle Annie," was also a member of this agreeable society, and lived with Castro before he married. Before 1859 he went by the name of Arthur Orton, Arthur the Butcher, or Big Arthur, and afterwards as Thomas Castro, with a short interval when he borrowed Morgan's name. These circumstances were partially known at Wagga-Wagga, and Castro was naturally annoyed when allusion was made to them. In 1865 his bragging about his family appears to have become more definite and systematic, and he began writing and cutting out the initials "R. C. T." At the time he fell in with Gibbs he was very hard pushed for money. While the Dowager was writing over about the 15,000*l.* a year awaiting her son in England, Castro was begging for a few shillings to save him from destitution. Roger had left a good balance at Glyn's and credit at another

house, but Castro could think of no means of procuring a little money except by abject appeals to Gibbs's compassion. If Gibbs could not give him money, would he at least speak to one of the store-keepers to let him have the necessities for the house? "I expect," he says, "Mrs. Castro to be confined before Saturday. And beleave me Sir I am more like a Manick than a B of B K to think that I should have a child born in such a hovel."

Notwithstanding his desperate circumstances, Castro was in no hurry to accept the Dowager's pressing invitations to help himself to 15,000*l.* a year down, with half as much again in reversion. It was clear from her letters that she was determined to be convinced that he was her son, and that his absurd blunders about the family and about the principal incidents of Roger's career did not disturb her. It is possible that her extraordinary eagerness to adopt a man whom she had never seen, and about whom she knew absolutely nothing, for all information had been withheld, may have suggested a suspicion that she wanted the heir for some purpose of her own and did not care who played the part. "Let him come; I will identify him and it will be all right"—this was the gist of her letters, and a strong desire was also expressed that the discovery of the heir should be kept secret from the family. As she was in this mood, and evidently not disposed to stick at trifles, the Claimant had perhaps some reason to complain that she would not recognize his handwriting at once as that of Roger. "You have caused a deal of trouble," he says, by not identifying the writing; and he hints that unless she does so at once he will stay where he is:—"But it matters not Has have no wish to leave a country ware I injoy good health I have grow very stout." While in this hesitating mood, he somehow falls in with Guilfoyle, who had been gardener at Tichborne Park, and with Bogle, valet of the late Sir Edward Doughty. From them he might of course learn all about the Dowager's peculiarities, her craze about Roger, her visits to the grounds round Tichborne Park on dark nights with a lantern to guide the long-lost heir if he happened to be there, the lamp set in the window, and the other gossip of the servants' hall. If there was any resemblance between Castro and Roger it would also be remarked. Castro's hesitation is now gradually dissipated. On September 2, 1866, accompanied by his wife and child, and by Bogle, he sailed

from Sydney to Panama on his way to England. At Panama he dallied awhile; then he went to New York, where there was another delay, and at last he started for England. Here again, however, he preferred the tedious route by the Thames to the Victoria Docks at Poplar. He arrives on the afternoon of Christmas Day, and almost immediately he hurries off to Wapping. Muffled up in a large pea-coat, with a wrapper round the lower part of his face and a peaked cap overshadowing the upper part, he enters the "Globe" public-house, makes his way to the bar-parlour like an old acquaintance, and over a glass of sherry questions the landlady about the Ortons. He tries to see one of Arthur Orton's married sisters that night, but she is out; and early next morning, without waiting for breakfast, he is off again to the neighbourhood of Wapping. He picks up all the information he can get about the Ortons, and sends a letter under an assumed name to one of the married sisters. Afterwards he sent them photographs of himself and of his wife and child as portraits of Arthur Orton and his family, and he also supplied the sisters and a brother with money. The Dowager was impatiently expecting him in Paris, but he was in no hurry to go to her. He avoided all Roger's relatives, and went to Gravesend to be out of their way. Next we have a glimpse of him, under the name of Taylor, hidden in his big muffler and peaked cap, driving round Tichborne Park and studying a catalogue of pictures in the house, with Bogle in attendance. Bogle refreshes his recollection of the house by a visit to it. It was necessary to have an attorney, and, passing by all the legal advisers in any way connected with the Tichborne family, he took one who was introduced to him by a gentleman whom he is said to have met in a billiard-room at London Bridge. At last he felt equal to confronting the Dowager. He reached Paris, accompanied by the attorney and the "mutual friend," at nine o'clock at night, but deferred his visit to his mother till next day. But next day he was so overcome with emotion that he had to send for her to come to him. He then, it is alleged, went to bed, where he anxiously awaited her. It is obvious that bed-curtains, blankets, and the dingy light of a Parisian bedroom are not favourable to the distinct recognition of a doubtful face. We do not know exactly what took place at the interview, but the result was that the Dowager agreed to recognize him. There were many old friends of Roger's

in Paris, but none were sent for except Chatillon who at once pronounced him to be an impostor.

Returning to London, the Claimant began to get up his case. If he had been under the impression that on his identification by the Dowager he would at once step into the enjoyment of a handsome fortune, he discovered his mistake. He must make good his claim at law, and it was necessary to collect evidence. We have seen what blunders he committed about the family affairs in Australia, before he met Bogle. At Wagga-Wagga he had given Gibbs directions to prepare a will disposing of the Tichborne property, not one item of which was stated correctly. The Dowager's Christian names were wrongly given, and the names both of persons and places had nothing whatever to do with the Tichbornes, but oddly enough were associated with Arthur Orton's career. When in London he wrote to Mr. Henry Seymour as "My Dear Uncle," spelling the name "Seymore." Mr. Seymour was, in fact, Roger's uncle, but the relationship was never alluded to between them, the Dowager, Roger's mother and Mr. Seymour's half-sister, having been an illegitimate child. Some of his relations having with great difficulty obtained interviews with him, he took his uncle Nangle's butler, a young man, for his uncle, who is an elderly gentleman; mistook his uncle, who is an elderly gentleman; mistook his cousin Kate for another cousin, calling Kate Lucy, and Lucy Kate. On many points, however, he showed an intimate knowledge of the Tichborne affairs, and as the time went on he began to talk more freely about them. It happens that there is a great stock of information about the family which is easily accessible. It is an old family with a history, and there is a great deal about it, in County Histories, Baronetries, and similar works. There is Roger's will at Doctor's Commons. There have been administrations and various suits in Chancery, and the documents are open to inspection on payment of a small fee. It is certain that Roger kept a diary, and was very particular about preserving accounts and letters; and the Dowager herself was a mine of information. Bogle also knew, as a servant knows, the private history of the family in our own day. Rous, the landlord of the "Swan" at Alresford, had been a clerk to Dunn and Hopkins, the attorneys to the late baronet; and the Claimant quickly established a good understanding with Rous, although it afterwards broke down.

With his scraps of information picked up from the Chancery papers and from talk with Rous and Bogle, Hopkins was next angled for and hooked. Then there was Baigent, who at first, declared the Claimant to be an impostor, and who suddenly discovered that he was the real man. The adhesion of Miss Braine, who had been Miss Doughty's governess, and of Moore, Roger's servant in South America, were not obtained till 1868. On the 12th of March the Dowager, who had been for some time restless and disturbed, died suddenly. This was so far a loss to the Claimant that it deprived him of the pecuniary help which he had obtained from the old lady, but on the other hand it rendered it impossible that his chief witness should turn against him; and when the Dowager died, she knew nothing of the Wagga-Wagga will and other remarkable circumstances in the Claimant's career.

Tichborne Park was in 1866, as now, let to Colonel Lushington, and it was in every way a good haul when the Colonel was landed. The Colonel, who had never seen Roger, was mainly influenced by the Claimant's recognition of the Dowager's picture, and of a stuffed cock pheasant alleged to have been sent home by Roger from South America, and by his intimation that the backs of some miniatures would prove to be gold if scratched. The Claimant had, however, seen the Dowager, and had studied a catalogue of the pictures; the pheasant had not been sent home from America, but was an English bird; and the miniatures had been framed by Baigent who appears to have mentioned it. Towards the end of February an important auxiliary arrived—this was Carter, an old trooper of the Carabineers, who was always in attendance on the Claimant. A few weeks later Carter is reinforced by another old soldier who had been Roger's regimental servant—McCann. Previously the Claimant had either shirked or blundered about military matters, and Baigent had never even heard him make an allusion of any kind to his connexion with the army. But now he plunged boldly into Roger's military history, and converted military witnesses by his wonderful knowledge of minute incidents. There were old stories about a horse that killed a trooper, about another trooper who got drunk, about the practical jokes played off on poor Roger, such as "chucking all the things" out of his window and sending a donkey clattering into his bedroom, which he took for the devil; about the two dogs Spring and Piecrust, Mrs. Hay's crow, and

so on. He has names, dates and incidents at his finger's ends. At first he begins with the privates. Carter spends a day at Sandhurst, standing beer to his former comrades, gossiping with them about old days, and preparing them for a meeting with the Claimant. Separate interviews were arranged; the Claimant received each man as an old friend, went through the familiar stories, hobbled about the room to show that he was in-kneed, and made the most of his assumed French accent. Next there was an expedition to Colchester, with similar proceedings, and after that visits to various barracks in the North of England. Carter was an active missionary; there was plenty of beer flowing, and an occasional distribution of half-crowns. One man brought over another, and the Claimant collected not only witnesses, but information. When he found he had got a good hold on the privates, he tackled the officers, and won over four or five, who had no idea how the twigs had been limed for them. The interviews were always pre-arranged.

As the ball rolled, it gathered bulk. The affidavits of the witnesses who were first secured proved a fruitful nest-egg. They were cleverly concocted and then circulated among people whom it was desired to catch. They were drawn up so as to fasten upon Roger several of the Claimant's peculiarities of expression or feature, and, being unconsciously accepted as evidence of what Roger was like, facilitated the recognition of the Claimant, who was found of course to be very like himself. Then there were little "test" incidents ingeniously contrived. When the Claimant went to Burton Constable, Sir Talbot Constable the first day could not recognize him. The next day the Claimant fired off one or two stories, possibly acquired in the interval from servants or others, about having played in private theatricals at Burton, and handed the wine round when a servant was tipsy, and about an old hedge being cut down; and Sir Talbot gave in. Mr. Biddulph, a second cousin of Roger's, is the only member of the family, with the exception of the Dowager, who has recognized him; and Biddulph has confessed that his opinion was influenced by a story about two death's-head pipes, which might have been known to many persons in the Tichborne household. Colonel Sawyer similarly succumbed to the Claimant's recollection of the Carabineer's having been landed at Herne Bay from Dublin. This fact had been got from the War Office. At a railway station the

Claimant captured Mr. and Mrs. Deane by going up to them and addressing them by name. They had the instant before been pointed out to him by one of his inseparable attendants. Mrs. Sherstone knew him at once because she has such a faculty for recognizing faces. Mrs. Hussey, who danced with Roger once at a servants' ball when she was fourteen years old, was confident as to his looks twenty years afterwards.

A great body of evidence was thus collected by the end of 1867. There was a sort of grand rehearsal in the examination before Mr. Roupell at the Law Institute; and then the Claimant had four years more to get up more facts, and to study his part, as the actors say. It is true he recollected a great deal of loose odds and ends of information when in the witness-box, but, considering the time he had had for preparation, there was nothing surprising in this. Indeed, the most remarkable feature in the whole affair is that he did not attempt to learn more; to get up a little French, for example, a few facts about Paris and Stonyhurst, some notion of cavalry drill, and so on. His memory, like his French accent, was capricious—sometimes very strong, at other times a blank. He had a distinct recollection of his pipes, of the number on a trooper's horse, of the stag's head and mauve stripes on his shirts and handkerchiefs; but he could remember scarcely anything about his life at Paris, or at Stonyhurst, and only such incidents in his military career as were the common gossip of the barrack-yard. He confounded a troop and a squadron, and did not know the difference between close and open order, or what telling off and proving meant, and he thought the Carabineers were a thousand strong. He had never heard of Lord Fitzroy Somerset. Roger had some knowledge of Latin, and the Claimant thought *Cæsar* was in Greek. He was sure he learned Hebrew at Stonyhurst, where no Hebrew was taught. Roger was fond of music and could play the horn; the Claimant, when shown some music, and asked why the horn was written in such a key and the pianoforte in three flats, said it was because the horn could not get down to the flats. The Claimant pronounced the Dowager's name *Felicite*. The letters of Roger and the Claimant in handwriting, composition, and grammar are as different as letters can be. His story of the shipwreck of the *Bella*, and his escape with eight others in a boat, was absurd and contradictory. No survivor of

the *Bella* has ever turned up. Neither the captain nor any of the crew of the vessel which he said picked them up can be discovered. First he said it was the *Osprey*, a Scotch schooner, then the *Themis*, and then again he tried back to another *Osprey*. The Chili Commission proved that, whereas Tichborne was not known, Arthur Orton was known to the people whom the Claimant had mentioned as his friends at Melipilla. The Chili Commission taken in connexion with the Australian Commission and other evidence would seem to point to the Claimant as being Arthur Orton, but who he is of no practical importance if he is not Roger.

As to Roger's appearance at the time he left England there is a substantial agreement in the different portraits. His friends generally describe him as a slight, dark, pale man, with a soft melancholy eye, with thin, straight, very dark brown, almost black, hair, and with large and rather bony hands. His mother adds some flattering but fanciful touches, that he was tall and had blue eyes. General Custance's picture is in another style:—"A little, wretched, unwholesome-looking young man, about 5 ft. 6 in., or at most 5 ft. 7 in., very pale, thin, and dirty-looking, and apparently not likely to grow." The General's picture is perhaps too harsh, but we suspect it is nearer the truth than the more complimentary likeness. Roger was rather a weak, insignificant youth. When he first joined the regiment he was so under-sized and odd-looking, and talked so curiously in his French way, that the Colonel thought he must have come to see the cook, and directed an orderly to conduct him to the kitchen. He had to explain that he had come to see the Colonel and not the cook. It is possible that there really was a stronger resemblance in expression, if not in feature, between Roger and the Claimant than the counsel for the defence were willing to admit. But the physical evidence against the Claimant was overwhelming. It is possible that a man might increase in bulk, so that, having been once slender as Roger, he should become gross and ponderous as the Claimant; but the latter is an inch or more taller than Roger, who was twenty-four when he left England—an age at which men cease to grow in height. His head is larger; Roger's helmet, which was too loose for him, and had to be padded with a newspaper, was a painfully tight fit for the Claimant. Roger's hair was straight and lank; the Claimant's is curly. Roger's ears adhered to the side of his head; the Claimant

ant's ears are dependent and free, with large lobes. Apart from the disputed scars on the Claimant's left foot, he has no marks of having been bled at all; but Roger was frequently bled on account of asthma. Roger's arm was elaborately tattooed, first by a sailor who pricked out the emblems of Faith, Hope, and Charity, and afterwards by Lord Bellew, a schoolfellow, who added a cable and "R. C. T." On neither of the Claimants arms are there any tattoo marks, though there is a mark at the wrist which it has been suggested might be a tattoo of "A. O." burned out. It will occur to every one that if the Court could have insisted upon beginning with a physical examination of the Claimant there would at once have been an end of the case, and that three instead of one hundred and three days would then have been sufficient to dispose of it. As it was the jury could come to no other conclusion than that the claim had broken down, while the Judge had also no alternative but to commit Thomas Castro to Newgate.

From The Spectator.

SIR W. GULL ON PHYSIOLOGICAL INTERVENTION.

SIR WILLIAM GULL, in a remarkable address read on the 28th January before the Clinical Society,* threw out a suggestion of which any layman is competent to appreciate the very wide possible bearings. He began by avowing for himself, and claiming (we know not on what grounds) for the whole Clinical Society, an optimist view of Nature, a belief in the steady progress of Creation from better to better in the past, and a profound faith that that progress would never be terminated in the future,—(a faith which, of course, rejects the physical possibility of an astronomical catastrophe),—but he maintained that from the point at which the human mind comes into active being, that law of progress can be secured only by the active co-operation of that mind,—and that that co-operation implies not merely a careful study and use of Nature, but perfect readiness, wherever we have the adequate means and knowledge, to override Nature, to make her something different from what she would be without our interference, something better than she would be if we did not meddle with her. In fact his doc-

trine is that we may,—if we will act soberly and on sufficient knowledge,—adopt a policy of physiological intervention even in regard to some of those natural organic growths of our own bodies which are usually assumed to be amongst the absolute data of our life. Sir William Gull rejects with some scorn what we may call the physiological quietism of those who simply watch and wait upon Nature, and proclaim themselves non-interventionists with regard to her processes. And indeed all except the very small school who regard vaccination as a culpable intervention in the physiology of the body—nay, all who would not condemn an operation for cataract, or the extraction of a diseased tooth, or the amputation of a mortifying limb as an audacious "flying in the face of Nature,"—must admit that there is a just limit to the quietist policy somewhere. But Sir William Gull goes further; he quotes with approbation a saying of Professor Haughton's with regard to the theory that the most painful of the effects of cholera are "an effort of Nature to cure the disease," "I will tell you what Nature wants; she wants to put the man in his coffin; and that is what she succeeds in doing, for the most part;" and he maintains that medical and surgical science is bound to assume that Nature wants to do some things which we must check her in doing, if we are to make the best of the world, and wants not to do other things which we may compel her to do. Even this doctrine, however, in the abstract would hardly be questioned by ordinary physiologists; but Sir William Gull gives it a rather unexpected application,—namely, in relation to positive organs which may, on adequate investigation, appear to be the superfluous monuments or relicts of a lower state of being. He remarks that organs which exist in the embryo, and which usually fade away as the body grows into its perfect human form, do sometimes, from some physiological eccentricity of the individual, develop themselves as fully as they are developed in other animal species, and that where this is the case, disease, if it comes at all, is especially likely to concentrate itself on this deformity, as we should call it,—that is, on the eccentrically developed organ which in most other men is rudimentary only, if traceable in them at all. "Those parts whose functions are indefinite," he says, are apt to be "the foci of pathology," that is, we suppose, the seats of disease. He instances the case of a particular duct which is usually undeveloped in man, and can be of very little if any use to the

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human economy, — one which Sir William Gull supposes to be a vestige of the oviparous tribes, — and which, when eccentrically developed, led to the death of a man, otherwise healthy, in whom this superfluity had matured. Such superfluous and eccentrically developed organs he thinks the surgery of the future may very likely make a practice of removing at once in the young, — when they can be got at without danger to the patient, — and he is inclined to augur great advantages from this decisive surgical intervention to remove dangerous superfluities. Nay, if we understand Sir William Gull rightly, he would go further, and be at least disposed to expect that if there be, as he apparently thinks there are, in the body of men, not only eccentrically, but *uniformly* developed organs for which men in their present state have no use, and which Sir William Gull would regard as “relicts of our ancestral relations,” “which may be superfluous and even injurious to us,” these organs might be removed in infancy with very great prospects of advantage to the body from their loss. We suppose, — for here we are left to conjecture, — that Sir William Gull may refer to such organs, should further investigation find no use for them, as the uvula, which so often causes relaxed sore-throat by its inflammation, — the spleen, we suppose, even if it were discovered to be useless to the human body, would be far too closely wrapped up in the body to be thus easily got rid of, — but it is clear that he contemplates the possibility of such real *pruning* of the body by the surgery of the future as would relieve it of some of the more accessible of those cumbrous physiological heirlooms which he believes to be derived from ancestors with different wants from ours. “For the surgeons,” he says, “as I have hinted, a new prospect is opening. Should advancing knowledge show that we have parts, or organs, of doubtful use, and especially if these equivocal parts are liable to disease, — what a land of promise for operations!” That is, Sir William Gull thinks it very likely that even of our normal organs some are mere excrescences on the human body under its present conditions, and if so, are specially liable to disease, and that surgical intervention may prove to be of the greatest use in ridding us of them in infancy. As almost all physicians support the system of vaccination, which undoubtedly replaces the natural state of the organization by one that is artificially proof against a particular disease; so Sir William Gull would not hesitate to interfere even in the mould-

ing of the external organization, if he could thereby relieve the body of what is in excess of its wants, and, therefore, probably at least, a superfluous drain upon its strength. Of course, Sir William Gull would be the first to insist on the greatest scientific caution in inaugurating such a policy; but suppose that such caution had been observed, and that a study of the lower animals had triumphantly shown that particular organs are as needless to men as long hair, and a much more common cause of disease, and that they could be easily removed without danger or any known bad consequences, — would there be any sort of consideration not derivable from physiological grounds forbidding such a policy of surgical “intervention”? Would it be possible to argue with any plausibility, for instance, that reverence for the body, as a divine work, should forbid us from this pruning away anything that Nature, and of course God through Nature, insists on giving?

We cannot think so. For in the first place, if there were any such moral veto on the dealings of cautious human reason with the body, it would be wrong to cut and shave the hair, — nor is it easy to see any real distinction, except a physiological distinction, between the one intervention and the other. If the protection of the whole is secured by the sacrifice of a part, we always and rightly consider the whole, and not the part; and all we really want is convincing evidence that we are pruning away nothing serviceable to man, — that its loss is serviceable to him. But then it may be said that the best moralists, — Bishop Butler at the head of them, — have always started from the assumption that, in the intellectual and moral nature of man at least, nothing is superfluous, nothing radically injurious, — but that evil consists only in the ill-regulation of appetites, passions, affections, and capacities, all of which have their appropriate purpose in the mental economy of man, though all are capable of being exaggerated into dangerous excess or repressed into dangerous deficiency. Yet if now we are to assume that specific organs, uniformly developed in the human body, are absolutely superfluous and even injurious, will not the inference be almost inevitable that there is no longer any ground to assume that, even in the human mind, each specific principle must have, for us at least, a divine purpose, the complete suppression of which would be a moral mutilation? “Revenge,” says Lord Bacon, “is a kind of wild justice,” and Butler has attempted in one of his very ablest ser-

mons to show the enormous moral value of the principal of resentment, if kept within the right limits. Such positive proof of course would be as admissible if the new notion of organic superfluities in the body be granted, as before. But would not there be a very much weaker analogical case for the real worth of each of the elementary desires, emotions, and other practical tendencies, as we now have them? Would it not be argued very gravely that if we all really inherit from our ancestors superfluous bodily encumbrances of which it is our duty to rid ourselves, we are exceedingly likely to have also inherited mental and moral superfluities of the same kind, where again there would be a new field opening not merely for restraint and culture,—but, so far as that is possible, for the intervention of moral surgery, for radical excisions of natural impulses and tendencies? If the human reason applied to physiology has discovered that it has pruning duties in relation to some of the normal organs of the human body, will not the human reason as applied to psychology be strongly biased in favour of the belief that it may have pruning duties in relation to some of the normal organs of the human mind?

We should reply that it is of course far more difficult to determine what is a distinct organ of the mind than it is to determine what is a distinct organ of the body; and further, that as the mind is the highest part of man, you might fairly expect normal organs of the body to have become for all purposes of advantage obsolete, although still inherited from our ancestors, without expecting normal organs of the mind to have already lost all their primitive functional uses; and that, considering the extremely small number, even if there be any, normal bodily organs which medical science can venture to pronounce really useless to man and mere monuments of a primeval body to which they were useful, there is no good analogical reason to expect that anything equivalent would be discernible in the mind. But it would, we think, be perfectly true to say that there are, in the mind itself, traces not perhaps of completely useless habits, or appetites, or impulses which are inherited from our forefathers, but certainly and frequently of great excess of activity in such habits, or appetites, or impulses; nor would it be at all unreasonable to ex-

pect that a distant future might yet come in which,—if moral surgery were possible,—if there were such a thing as a moral excision capable of being performed,—it might be of the first benefit to man even to *eradicate* some of the persistent moral tendencies which we have received as heirlooms from our ancestors. Take some of the cases of kleptomania, as it is called, or even of the worst forms of avarice,—*i.e.*, of deeply persistent tendencies, probably in some degree inherited, which have become to their present possessors what Sir William Gull asserts that the eccentrically developed *duct* he tells us of was to its victim, not only not useful, but centres of local disease,—and can we doubt for a moment that here we have the trace of a greed for accumulation, which in the hard Stone Ages, for instance, may have been almost a condition of existence, developed into a thoroughly unsocial and destructive passion in an age of comparative ease and wealth? And if it be morally certain, as it seems to us to be, that in a higher state of existence the competitive instinct so deep in us, and, within limits, so useful to us now, will disappear, why should it be incredible that even on this earth in some distant future the moral uses of such a passion might vanish, and it might linger, if it lingered at all, as a mere centre of disease?

We do not see anything really to startle us in Sir William Gull's striking suggestion that science may in the future show us how even to prune away superfluous organs of our body with a purely beneficial result to man; nor why something parallel might not happen, in some still more distant future, in relation even to the mental tendencies of men. All such a suggestion would imply is that God educates us to educate ourselves; and that in the course of that education, as the higher functions of both body and mind become developed, some of the lower will gradually be of less and less use, and finally may become really superfluous, without, however disappearing until our own reason and conscience are trained to help in extinguishing them. It is hardly possible to doubt that in the only perfect human nature which ever lived upon this earth, in the divine humanity, some of the lower principles *even of the mind*,—notably the competitive impulse,—was kept altogether inactive.

WEST AFRICA.—Another paper in the same journal, accompanied by a map, gives a complete history of the attempts which have been made to penetrate West Africa in the neighborhood of the delta of the Ogowai river, along with a summary of our knowledge of that part of the continent. Ogowai must be one of the main arteries of the country, but nothing whatever is yet known of its course beyond a distance of 150 miles inland from its great delta, the outmost branches of which are more than 50 miles apart on the coast. In recent years attention was drawn to the magnitude of this river, first reported by Bowdich in 1817, by Du Chaillu's journeys in the coast regions north of the Gaboon and south of the Ogowai, in the years 1856-59. The French, who have long had settlements in its neighbourhood, have at various times made efforts to navigate its waters, as yet without much success, though there do not appear to be any great barriers in the way of a determined explorer. Their first trial in 1862, under Lieut. Servat in the steamer *Pionnier*, was made in July, the season when the river is lowest,* and soon the journey had to be continued in boats, but at a distance by river of about 100 miles from the coast, on the rumour of an attack by the natives, further progress was abandoned. Neglecting the experience of the former attempt, a second, under Lieut. Albignot and Dr. Touchard, also in the *Pionnier*, was undertaken at the same season in 1864, but, waiting till October, the expedition reached the mouth of a large tributary from the southward, named the Ngunié, at a distance of about 50 miles beyond the turning point of the first trial. A third voyage in 1867 under Lieut. Aymes did not reach farther than this confluence, beyond which the main river is named the Okanda. Overland from the Gaboon in 1864, Lieut. Genoyer, after an ascent of the coast range named by the Portuguese the Serra do Crystal, reached the Okanda above the confluence of the Ngunié, and returned to the Gaboon by one of the tributary streams of that estuary. Retraversing the country south of the Ogowai, visited by him in 1858, Du Chaillu came upon and traced the Ngunié down towards the Ogowai for a considerable distance in 1864, previous to his longest journey inland to Ashango. In 1866 a journey was made by an Englishman named Walker from the Gaboon to the Ogowai, during which he followed up the tributary Ngunié to the point at which Du Chaillu had turned, and afterwards navigated the Okanda by boat in its course from north-east to a point 50 miles above the confluence, the farthest yet reached by any European. Here in July, the time of lowest water, at a distance of more than 200 miles by river from the coast, the first hindrance in the form of rapids was encountered. The river breaks into several channels of from 100 to 300 yards in width, and has a very tortuous course. From one of

the rock-islands in the river, the smoking mountain of Otombi can be seen to the north-east, and, according to native report, there is a second volcano, named Onshiko, beyond this one in the same direction. The existence of a great lake far in the interior was confirmed to the traveller by every report, but whether this forms the source of the Okanda could not be ascertained. More recent excursions by the French have completed a rough survey of the region of the delta. The Ogowai is the gate through which our knowledge of Central West Africa must be obtained.

Academy.

THE STRUCTURE AND CLASSIFICATION OF COMPOSITÆ.—At the meeting of the Linnean Society on February 1st an important paper was read by Mr. Bentham, the president of the society, on this subject, to which he has recently given much attention. The order Compositæ or Synanthérées is remarkable not only from its enormous size, but also from its extremely natural and well-marked characters, there not being a single instance in which it is doubtful whether a plant should be referred to this order or not. All the essential characters of the androecium, pistil, structure of fruit, structure of seed, and inflorescence, are absolutely constant throughout the ten thousand species comprised within it. This very fact, however, renders its subdivision into tribes and genera a matter of extreme difficulty, the systematist being compelled to adopt characters as generic which in other orders would hardly be considered as specific. The parts of the plant from which the best distinguishing characters are derived were treated at length by the author under the following heads:—1. Sexual differences in the florets contained in the capitulum; these are sometimes constant in large genera or subtribes, sometimes variable in closely allied species. 2. Di- and tri-morphism; very rare in Compositæ except as connected with sexual differences. 3. Differences in the pistil; these depend on variations in the style where it is not used for its primary purposes in connection with the fertilization of the ovules. 4. Differences in the fruit and its pappus. 5. Differences in the androe; these depend on the minute appendages or tails which have apparently no functional office. 6. Differences in the corolla; numerous and important. 7. Differences in the calyx; these are not important. 8. Differences in the ultimate inflorescence and bracts; not of essential importance. 9. Differences in foliage; there is no type of foliage in Compositæ which may not be found in several other orders, although the leaves are never compound with articulate leaflets; the opposition or alternation of the leaves is sometimes of tribal importance, sometimes not. 10. Geographical distribution; on this portion of the subject a further paper is promised at a future meeting.

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* Corresponding to the rainy season under the equator, the Ogowai has a considerable rise in April and a lesser in October.